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CULTIVATION AND ERADICATION OF ILLICIT DOMESTIC MARIHUANA

A REPORT

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

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CONTENTS

	Page
Introduction	1
Part I—Federal Domestic Marihuana Eradication Efforts	4
A. The Drug Enforcement Administration's 1982 Domestic Marihuana Eradication/Suppression Program	4
Executive Summary	4
Introduction	5
Eradication Statistics and Intelligence Overview	7
Program Management and Coordination	11
Cooperation with Other Federal Agencies	11
Funding	12
Training	13
Investigative and Aircraft Support	14
Technological Activities	14
Public Awareness and Press Relations	15
Herbicides	16
B. Select Committee on Narcotics Abuse and Control Review	16
DEA's Programs and Practices	16
Utilization of Paraquat in Domestic Marihuana Eradication	18
Part II—Domestic Marihuana Cultivation: A Survey of State Attorneys General	20
Introduction	20
Background Information	20
Results	24
A Summary of Survey Results	24
State-by-State Perspective	29
States with a Significant Problem with Marihuana Cultivation (Alabama, Arizona, Arkansas, California, Florida, Georgia, Hawaii, Idaho, Indiana, Kansas, Kentucky, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oregon, South Carolina, South Dakota, Tennessee, Virginia, Washington, West Virginia, American Samoa, Puerto Rico, and Virgin Islands)	29
States with Apparent Significant Cultivation but little or no Supporting Statistics (Maine, Michigan, New York, Rhode Island, Vermont, and Wisconsin)	37
States with an Unknown Degree of Marihuana Cultivation (Illinois, Montana, and Wyoming)	38
States Reporting No Significant Problem with Marihuana Cultivation (Delaware, Maryland, Nevada, New Hampshire, New Jersey, North Dakota, and Pennsylvania)	39
States Not Responding to the Survey (Alaska, Colorado, Connecticut, Iowa, Louisiana, Massachusetts, Oklahoma, Texas, and Utah)	40
Conclusions	40
Part III—Select Committee Hearings on Domestic Marihuana Cultivation	43
A. Hearings of July 22-23, 1983	43
Introduction	43
Summary of Testimony—July 22, 1983	45
Summary of Testimony—July 23, 1983	54
Findings	60
Recommendations	62
B. Survey of Sheriffs—Illicit Marihuana Cultivation in California and Arizona	63
Introduction	63
Results	63
Part IV—Select Committee Study Mission to Hawaii, Southeast and Southwest Asia and Italy: Summary of Findings Pertaining to Domestic Marihuana Cultivation	72
Select Committee Findings, Conclusions and Recommendations	74
Appendix A—DEA's 1983 Domestic Marihuana Eradication/Suppression Program	77

INTRODUCTION

House Resolution 49, establishing the House Select Committee on Narcotics Abuse and Control for the 98th Congress was passed on February 8, 1983. As part of its mandate the Select Committee was authorized to "conduct a continuing comprehensive study and review of the problems of narcotics, drug and polydrug abuse and control, including * * * domestic and international trafficking, manufacturing and distribution."

Because the issue of domestic cultivation of marihuana is an issue that has received increased attention over the past few years with mounting evidence that a significant amount of marihuana consumed in the United States is domestically grown, the Select Committee devoted a portion of its 1983 resources to oversight of this problem. This report, consisting of three major parts, describes the Select Committee's findings.

Part I of this report provides an overview of the Federal marihuana eradication effort conducted by the Drug Enforcement Administration [DEA]. It presents their final report of the 1982 Domestic Marihuana Eradication/Suppression Program. This is followed by the Select Committee's summary of DEA's eradication programs and practices, and an appreciation of the current situation concerning the use of paraquat in marihuana eradication.

Part II contains the result of a survey that was sent to the Attorneys General of each of the 50 States and three U.S. territories requesting an estimate of the local situation concerning cultivation of marihuana, and particularly of high grade sinsemilla. Issues covered in the survey were: whether or not the Federal, State and local enforcement authorities are bearing a fair share of the responsibility in eradicating cultivated marihuana; the specific problems confronting law enforcement agencies; the marketing of the product; and violence associated with cultivation efforts.

Of the 44 jurisdictions responding to the survey, 77 percent reported they had a significant problem with marihuana cultivation, 16 percent reported no significant problem, and the remaining 7 percent felt that they had insufficient information to judge with any degree of confidence the significance of the problem in their jurisdiction.

Most areas that reported the existence of a significant problem requested that the Federal Government increase their assistance. Nine jurisdictions requested that the assistance be in the form of personnel and training; eight requested equipment for surveillance, access and/or disposal; and others requested funding for buy money and/or the purchase of intelligence information.

The use of greenhouses for cultivation was frequently cited as growing in popularity, and in three States marihuana was reported as being grown with legitimate crops. Federal and other public lands also are used to avoid determination of crop ownership. Fif-

teen States reported weapons and/or booby traps associated with the cultivation efforts; seven of them reported actual attacks on law enforcement officers or surveillance aircraft.

The survey shows domestic cultivation of marihuana to be an increasing problem, and that DEA's estimates of successes to date are overly optimistic. This activity places an increasing amount of high grade marihuana on the domestic market and puts law enforcement officers and innocent civilians in danger from an increasing number of determined and protective growers. The crop is easily hidden, enforcement is frustrated by current laws governing marihuana cultivation, and eradication programs are too costly to be carried out successfully by local and State authorities, even with the assistance currently available through the Federal Government. Because of the increasing market for domestically grown marihuana and the enforcement problem mentioned above, the growth of domestic marihuana is expected to increase.

Part III describes the hearings held by the Select Committee on July 22–23, 1983, in Redding, California. The witnesses testified that profits from domestic marihuana cultivation are estimated to be from $12 to $52 billion per year. With individual sinsemilla plants worth up to $4,000, cultivation can reap huge profits. Illicit cultivation has become big business, using sophisticated agricultural techniques. The potential profit is so great that many are quite willing to risk being caught. Many minimize the risk by growing marihuana on Government lands. The witnesses suggested that the amount grown on public lands far exceeds that which has been estimated by Federal agencies.

The risk is further minimized by the fact that the problem has not heretofore received sufficient attention and has suffered from a low enforcement priority. Eradication efforts at the State and local level are characterized by small budgets and insufficient personnel resources. And when enforcement activities do increase, growers simply move on to less well-enforced areas.

State and local agencies do not seem to be aware of the full range of Federal assistance available to them, but they are keenly aware of the shortcomings of Federal efforts; and they believe that cooperation between the involved Federal agencies should be made less ineffective.

As a follow-up to the Select Committee's hearings, a questionnaire was sent to the sheriffs of California's 58 counties inquiring into the extent of the problem in their jurisdictions, availability of law enforcement resources, arrest and prosecution patterns, and the types of Federal assistance they require.

Most of the sheriffs who replied stated that illicit marihuana cultivation is a problem in their county. One-third of the average county consists of public lands and nearly half of the responding sheriffs stated that the larger portion of the marihuana grown in their counties is on those lands. In the face of increasing illicit cultivation, nearly half have, or expect to have, budget and/or personnel cuts affecting their ability to eradicate marihuana, and nearly one-third of the remaining sheriffs feel uncertain about future available resources. About one of every four sheriffs noted a reluctance of prosecutors and judges to prosecute, to seek, or to impose penalties commensurate with the potential profits from marihuana

cultivation. Although the sheriffs feel that marihuana eradication is primarily a matter for local authorities, their consensus is that Federal assistance in the form of funding, training and equipment is necessary, as is support from National Guard pilots and aircraft.

The same survey was circulated to the sheriffs of Arizona's 15 counties who, for the most part agreed with their California counterparts. However, Arizona sheriffs have faced less severe funding and personnel cutbacks and seem to be less uncertain about the future. There appears to be less reluctance on the local level to prosecute for marihuana cultivation in Arizona, but where statistics are available, successful prosecutions tend to result in probation or minor fines incommensurate with the profits of the criminal enterprise. No prison terms were reported by the responding sheriffs. Federal prosecution for marihuana cultivation and smuggling in Arizona is reported as virtually nonexistent.

Part IV reports that portion of the January 1984 Select Committee study mission that focused upon marihuana cultivation and trafficking in Hawaii. It revealed the extent of illicit cultivation there, and the fact that the U.S. Mail was being used extensively to move the crop to the mainland. Recommendations are made concerning both the Federal and State actions concerning cultivation and trafficking.

The report ends with a consolidated summary of the Select Committee's findings, conclusions and recommendations.

PART I—FEDERAL DOMESTIC MARIHUANA ERADICATION EFFORTS

A. The Drug Enforcement Administration's 1982 Domestic Marihuana Eradication/Suppression Program [1]

EXECUTIVE SUMMARY

DEA's 1982 Domestic Marihuana Eradication/Suppression Program expanded to include 25 States from the seven States participating in 1981. DEA's role in this cooperative venture is to encourage State efforts and to contribute, within resource limitations, funding, training, and investigative and aircraft resources to support the efforts of State and local law enforcement agencies in domestic marihuana eradication/suppression.

In 1982, DEA provided $849,340 to help defray the expenses of State/local marihuana eradication activities. These expenses include payment of officers' overtime and per diem as appropriate, and other costs such as rental of equipment and vehicles, fuel for vehicles and aircraft, and repairs necessitated by their use.

DEA conducted four Marihuana Aerial Observer schools in which 120 State/local officers received training in detecting marihuana from the air and related eradication skills. Additionally, DEA supported aerial observer schools conducted by the States of Florida, Mississippi, California and Texas.

The DEA Airwing flew 481 missions for a total of 1,332 flying hours in support of the eradication program this year. This effort represented 12 percent of the Airwing's total missions for the year. Of the 481 missions flown, 396 resulted in positive sightings of marihuana fields.

Eradication efforts were extremely successful. In excess of two and one-half million (2,590,388) marihuana plants, in 4,657 plots, were eradicated. This resulted in the arrests of 2,512 subjects and the seizure of 785 weapons. Forty percent of the plants were high potency sinsemilla. Ninety-five percent of this total number of plants were eradicated in States with DEA cooperative programs.

Quantitative analyses of data derived from the 1982 program reveal that domestic marihuana production for 1982 was significantly greater than that estimated for previous years. Using a relatively accurate plant count and conservative weight per plant factors, it is estimated that 1,653 metric tons of marketable marihua-

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[1] Part IA was prepared by the Cannabis Investigations Section, Drug Enforcement Administration, U.S. Department of Justice, December 1982. It is included here for the purpose of describing the DEA effort. Although the report claims extreme success for the program, the select committee's surveys and hearings described in the remainder of this report lead to the inescapable conclusion that illicit marihuana cultivation and its attendant problems are proliferating and that insufficient law enforcement resources have been brought to bear to assure success.

As this report was going to press, DEA released its 1983 Marihuana Eradication report. Although it is included here as appendix A, it has not yet been evaluated by the Select Committee.

na were eradicated. The strategic intelligence estimate for 1981 domestic marihuana production was 1,200 metric tons. Therefore, the program shows that in 1982, 38 percent more domestic marihuana was *eradicated* than was previously *believed to exist.*

Although a total U.S. marihuana production figure is not easily determined, the statistics obtained from this program reveal, without doubt, that the United States is becoming a major source for the drug.

By all measures, the 1982 DEA Domestic Marihuana Eradication/Suppression Program was extremely successful. Operational relationships and procedures have been established and an intelligence data base has been developed. A significant amount of marihuana has been eradicated and numerous cultivators arrested. Additional States have asked to participate in 1983.

DEA's 1983 Domestic Marihuana Eradication/Suppression Program will begin on a solid conceptual foundation.

INTRODUCTION

Since 1979, DEA has supported marihuana eradication efforts by State and local law enforcement agencies in California and Hawaii. In 1981, this support included eradication programs in five additional States.

By 1982, domestic cultivation of marihuana had proliferated. In addition to the greater amounts of marihuana produced, a higher proportion of it was cultivated using the "sinsemilla" technique. This resulted in marihuana of greater potency and higher value, thus providing a compelling incentive to the grower. To counter this new threat, DEA's 1982 program expanded to include 25 States. Participating States are indicated on the map.

DEA's strategy established a concept for the application of Federal involvement domestically within a flexible framework. Resource application is scaled to the local situtation consistent with DEA's priorities and a policy of encouraging maximum State and local participation and initiative. The goal of this strategy is to both deter commercial sinsemilla or high grade marihuana cultivation and to suppress the proliferation of that cultivation in areas which have not yet developed a large or sophisticated growing or marketing capability.

Elements of DEA's program include: (1) financial assistance to the States to help defray marihuana eradication expenses, (2) training of State and local officers in marihuana detection and eradication techniques, (3) investigative and aircraft assistance as required, and (4) a public awareness program to engender public and public official awareness and support for marihuana eradication/suppression programs.

This is the final report for the 1982 DEA Domestic Marihuana Eradication/Suppression Program. The report will describe how the program was conducted, resources expended and results achieved.

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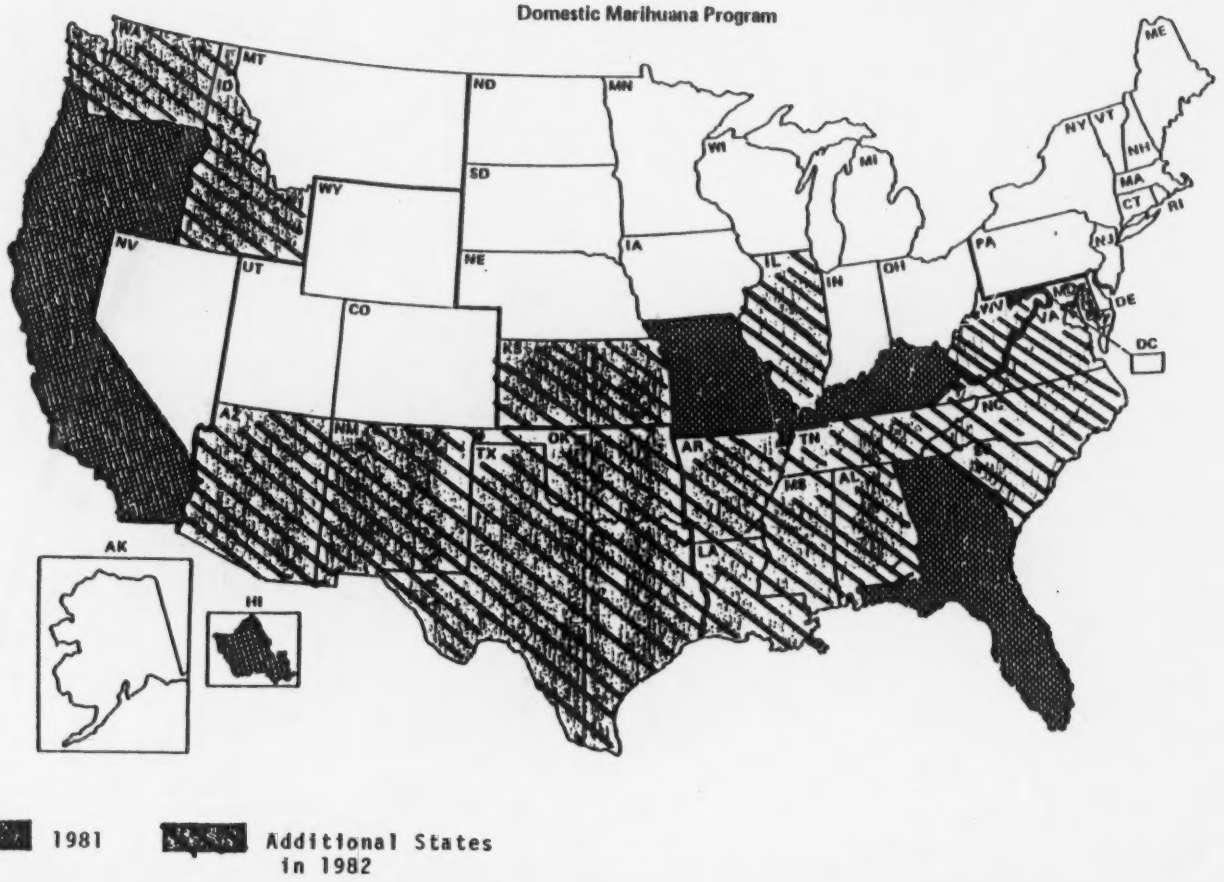
Domestic Marihuana Program
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Additional States
in 1982

ERADICATION STATISTICS AND INTELLIGENCE OVERVIEW

A primary goal of the 1982 Domestic Marihuana Eradication/ Suppression Program was to develop an intelligence data base concerning domestic marihuana cultivation. This data base is necessary for assessing the magnitude and threat of the domestic marihuana problem for use in program planning as well as for use in developing measures of effectiveness for program evaluation.

In order to evaluate the program and to obtain intelligence information, eradication statistics and other information were requested from DEA field offices and State/local counterparts for each of the 50 States, whether or not the State was part of the 1982 DEA program. Responses were requested to the following question:

1. Eradication Statistics (combined statistics for all agencies within the State)
   - A. Number of marihuana plots raided.
   - B. Number of plants seized.
   - C. Number of arrests.
   - D. Number of weapons seized.
2. Cultivation Techniques
   - A. Percentage of total (or seized) marihuana crop that was sinsemilla
   - B. Percentage of crop that was grown in greenhouses.
   - C. Other special or unusual plant types or cultivation techniques
3. Intelligence Estimates
   - A. Percentage of total marihuana crop in State that was eradicated.
   - B. Rate of increase in amount of cultivation from previous year.
   - C. Factors indicating increased sophistication in cultivation from previous year.
   - D. Distribution system, location of consumer markets, etc. for marihuana grown in State.
   - E. Group counties of State by subjective estimate or whether it is a:
     1. Major cultivation area.
     2. Moderate cultivation area.
     3. Counties not listed in 1 or 2 above will be considered as having little or no marihuana cultivation.

A detailed intelligence report which discusses all aspects of the domestic marihuana situation is being prepared for later distribution. Quantitative highlights of the results of this questionnaire are presented here and in the chart on page 7.

Eradication Statistics and Estimates

As can be seen from Table I, Columns A, B, D and E, 4,657 plots containing 2,590,388 plants were eradicated. Ninety-five percent of this total number of plants were eradicated in the 25 States with DEA cooperative programs. Locating the fields also resulted in the arrest of 2,512 subjects and the seizure of 785 weapons.

Hawaii seized the greatest number of plants (19.9 percent of the total), followed by Georgia, Kentucky and Tennessee (14.4 percent, 12.3 percent and 11.3 percent of the total, respectively). California

led in arrests of marihuana cultivators (16.3 percent), followed by Hawaii (13.1 percent) and Oregon (11 percent).

The average marihuana plot sizes for the States are presented in Column C, obtained from the data in Columns A and B. Some States average less than a hundred plants/plot, as illustrated by California, Washington and Oregon where cultivators strive for a high quality product in small remote plots to avoid detection. Other States average larger plots. These may become smaller in subsequent seasons with increased law enforcement activity. No average plot size was computable for Hawaii since the plants tend to be scattered through the jungle, rather than in defined plots.

Column F indicates for each State the estimated percentage of the marihuana crop that was cultivated using the sinsemilla technique. For many States, this estimate is based on the actual percentage of the eradicated marihuana that was sinsemilla and, for those States with significant eradication, it approaches a reasonably valid representation for the entire crop in the State.

A weighted average percentage of sinsemilla for the entire United States was computed by multiplying elements of Columns B and F for each State to get the number of sinsemilla plants per State, and relating their summation to the total of Column B. This yields an estimate of 1,047,000 plants or 40.42 percent of the domestic marihuana crop as sinsemilla. This higher than expected proportion of sinsemilla, with its high THC content, is significant. It is a measure of the increased sophistication of domestic marihuana cultivators and it portends a more potent marihuana product in circulation.

Column G presents the estimate by each State of the percentage of the marihuana crop that was grown in greenhouses. A weighted average percentage for the entire United States was computed in the same manner as in the previous paragraph for percentage of sinsemilla. This resulted in a U.S. average of 3.28 percent of the marihuana crop estimated to be grown in greenhouses. Marihuana cultivation in greenhouses is harder to detect and is an additional element of illicit cultivation sophistication. This parameter will be monitored during the coming seasons.

Strategic Estimates of Domestic Marihuana Production

Traditionally, estimates of domestic marihuana production are derived from analyses of U.S. consumer data (estimated number of users, frequency and dosage of use, etc.), combined with field survey data indicating the relative proportions of marihuana in the traffic from domestic production and the various foreign sources. The latest published estimate [2] for domestic marihuana production in 1980 is 700–1,000 metric tons. Not yet published estimates for 1981 indicate an increase to 900–1,200 metric tons.

Quantitative analyses of data derived from the 1982 Domestic Marihuana Eradication/Suppression Program reveal that domestic marihuana production for 1982 was significantly greater than that estimated for previous years.

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[2] The National Narcotics Intelligence Consumers Committee, *The Supply of Drugs to the U.S. Illicit Market from Foreign and Domestic Sources in 1980 (with projections through 1984).*

Column B indicates that a total of over two and one-half million marihuana plants were eradicated in 1982 in the U.S. This figure was derived from actual plant count rather than estimates for most States and is considered reasonably accurate. Any error contained therein would result primarily from plants eradicated without being counted in the State total, an error on the side of conservatism.

"Plant count" was selected as the primary unit of measure rather than weight. Plant count is independent of the size of the plant at the time it is eradicated and represents the potential of the plant at maturity. The use of plant weight at the time of eradication provides inconsistent statistics as a result of the various plant sizes due to stage of growth, the loss of weight as the plant dries, etc. To arrive at an estimated weight of marketable marihuana for that which was eradicated, the following factors are used: One sinsemilla plant yields two pounds of marketable material; one regular marihuana plant yields one pound of marketable material. These factors are considered conservative. Their use, in conjunction with an accurate plant count provides a consistent statistical measure.

To arrive at a weight estimate for the eradicated marihuana, two pounds are assigned to each plant assumed to be sinsemilla of the total plants eradicated (40.42 percent of 2,590,388 plants) and one pound to each of the remaining plants. This yields a total weight of 3,637,400 pounds or 1,653 metric tons of marketable marihuana eradicated.

One can compare the 1,653 metric tons of domestic marihuana eradicated in 1982 with the top estimate of domestic marihuana production for 1981, i.e. 1,200 metric tons. It can be seen that in 1982, 38 percent more domestic marihuana was *eradicated* than was previously *believed to exist.*

Estimates by the States of the percentage of the marihuana crop in each State that was eradicated vary from one to fifty percent (Column H). These estimates are extremely speculative, precluding the development of a statistically valid estimate for total domestic marihuana production in the United States. It is apparent, however, that the 1,653 tons that were eradicated represent only a portion of the marihuana that was cultivated. To obtain a realistic estimate, it will be necessary to examine this data in relation to updated statistics and estimates from the 1983 marihuana eradication campaign and in terms of estimates derived from traditional methods.

Although an exact U.S. marihuana production figure is not easily obtained, the statistics obtained from the 1982 DEA Domestic Marihuana Eradication/Suppression Program reveal, without doubt, that the United States is becoming a major source for the drug.

1982 DOMESTIC MARIHUANA ERADICATION STATISTICS AND CULTIVATION ESTIMATES (1)

	A	B	C	D	E	F	G	H
STATE	ERADICATED PLOTS	ERADICATED PLANTS	PLANTS/PLOT	ARRESTS	SEIZED WEAPONS	PERCENT SINSEMILLA	PERCENT IN GREENHOUSES	PERCENT ERADICATED
ALABAMA	118	34,905	296	21	1	5	2	10-20
ALASKA	5	500	100	0	0	10	100	5
ARIZONA	14	8,144	582	19	19	60-70	0	?
ARKANSAS	300	74,210	247	127	5	30	10	30
CALIFORNIA	670	47,841	71	410	408	65-90	5-10	40
COLORADO	29	8,616	297	27	0	9	10	10
CONNECTICUT	1	100	100	0	0	0	0	?
DELAWARE	1	100	100	1	0	100	100	?
FLORIDA	289	40,772	141	121	?	50	0	25
GEORGIA	429	374,132	872	42	2	3	0	10
HAWAII	? (2)	515,660		329	?	90	0	20
IDAHO	55	12,489	227	42	11	25	5	10
ILLINOIS	?	?		?	?	?	?	?
INDIANA	19	3,600	189	11	0	1	1	1
IOWA	100	60,000	600	100	?	0	5	5
KANSAS	15	7,000	467	15	5	33	20	15
KENTUCKY	214	319,221	1,492	83	14	80	2	25
LOUISIANA	11	7,177	652	10	22	25	0	2
MAINE	3	975	325	9	1	90	0	?
MARYLAND	12	502	42	14	1	0	0	10-15
MASSACHUSETTS	0	0		4	0	0	0	?
MICHIGAN	72	2,000	28	24	11	0	1	?
MINNESOTA	?	?		?	?	?	?	?
MISSISSIPPI	68	41,975	617	34	12	20	4	20
MISSOURI	115	81,691	710	109	74	25	30	10
MONTANA	24	1,516	63	19	0	5	45	?
NEBRASKA	6	258	43	27	5	0	0	1
NEVADA	1	800	800	2	0	0	0	?
NEW HAMPSHIRE	0	0		0	0	?	?	0
NEW JERSEY	?	?		?	?	?	?	?
NEW MEXICO	22	118,997	5,409 (3)	31	5	3	14	10
NEW YORK	4	3,000	750	3	?	25	5	?
NORTH CAROLINA	215	141,640	659	38	4	15	1	15-20
NORTH DAKOTA	1	110	110	0	0	0	0	?
OHIO	17	24,653	1,450	7	3	40	0	5
OKLAHOMA	105	177,340	1,694	107	20	39	1	10
OREGON	592	50,264	85	277	67	80	15-20	30-40
PENNSYLVANIA	36	1,725	48	?	?	3	0	10
RHODE ISLAND	0	0		0	0	?	?	0
SOUTH CAROLINA	52	13,058	251	28	0	?	0	5
SOUTH DAKOTA	14	500	36	6	0	0	0	10
TENNESSEE	475	293,400	618	114	4	10	0	20
TEXAS	67	24,577	367	24	38	18	10	10
UTAH	32	19,080	596	35	0	4	4	10
VERMONT	10	750	75	12	0	?	10	20
VIRGINIA	153	4,600	30	30	0	45	0	50
WASHINGTON	248	20,000	81	160	48	?	5-10	10
WEST VIRGINIA	43	51,930	1,207	20	5	10	0	15
WISCONSIN	?	?		?	?	?	?	?
WYOMING	0	0		0	0	0	0	0
TOTALS	4,657	2,590,388		2,512	785			

Notes:

(1) Columns A,B,D,E, F,G and H present data as submitted by State programs. Column C derived from submitted data.

(2) "?" indicates that the information is not available.

(3) Value indicated is not representative. (In the case of New Mexico, the data includes one plot that contained 100,000 plants).

PROGRAM MANAGEMENT AND COORDINATION

DEA's Domestic Marihuana Eradication/Suppression Program is managed by the Cannabis Investigations Section at DEA Headquarters. Two Staff Coordinators are assigned full time to coordinate the many aspects of the program with other Headquarters elements, DEA division and resident field offices, and to represent Headquarters at meetings with State/local and other Federal officials.

In each participating State, a Special Agent from the appropriate DEA field office serves as Field Program Coordinator. This function is to develop, in conjunction with his State/local counterpart, an operational plan for the State eradication program and serve as coordinator and conduit for DEA support to the State program. A Program Coordinator in the division office assists division management in monitoring the program and compiles program statistics and intelligence within the division.

Coordination responsibility is also assigned to elements of DEA's Office of Training and the DEA Airwing in regard to their participation in the program.

COOPERATION WITH OTHER FEDERAL AGENCIES

U.S. Forest Service

The U.S. Forest Service became actively involved in domestic marihuana eradication in 1982, as a result of increased marihuana cultivation in National Forests. Their efforts have been generally coordinated with DEA. However, the need for closer coordination in 1983, particularly to avoid duplication in funding of State and local efforts, is recognized. In 1982, the Forest Service applied approximately $400,000 to the program. In 1983 they anticipate a budget for the program of 1.9 million dollars. They are also funding a research project using aerial photography to find fields on public lands. Additionally, the Forest Service is sharing with DEA the results of its test program involving the use of LORAN C equipment in plotting the location of marihuana fields.

Bureau of Land Management (BLM)

With the increase of marihuana cultivation on public lands under their jurisdiction, the Bureau of Land Management is also becoming actively involved in domestic marihuana eradication. They are researching advanced methods of aerial detection of marihuana and intend to commit additional resources in 1983 to eradication efforts. Their program is being coordinated with DEA and the U.S. Forest Service.

National Guard

In 1982, the National Guard in Hawaii and Arkansas provided essential helicopter support to marihuana eradication efforts in those States. The State of New Mexico activated the National Guard to help manually destroy a 50 acre field in the State.

DEA's policy is to encourage the States to seek the assistance of the National Guard in their eradication efforts.

FUNDING

A major element of DEA's Domestic Marihuana Eradication/ Suppression Program is to provide funding to State/local agencies to help defray the expenses of their eradication activities. These expenses include payment of officers' overtime salary and overtime of reserve officers (during the time that they are engaged in the eradication process), per diem as appropriate, and other costs such as rental of equipment and vehicles, fuel for vehicles and aircraft, and repairs necessitated by their use.

A total of $843,340 was allocated to participating States for this purpose in 1982. The amount allocated to each State appears on the chart on page 11. In addition to funding to the States, $12,500 was allocated for marihuana eradication programs in Puerto Rico and the U.S. Virgin Islands. Although Texas participated in DEA's cooperative program, it requested no funding and received training assistance only.

A brief description of the funding process follows. Each DEA Field Program Coordinator and his respective State/local agency counterpart develop an operational plan, with funding requirements, for their State. After approval by the appropriate DEA division office and the Cannabis Investigations Section (OM), OM authorizes the division to expend program funds in the State. OM monitors the State's progress through monthly status reports and incrementally allocates these funds as a function of the program's progress with respect to the operational plan.

Letters of Agreement are executed between DEA and one or more State/local agencies within each State. The DEA Field Program Coordinator, under supervision of the division office, then apportions the funds authorized for use in that State among the participating agencies and monitors the program's activities and expenditures.

Additional funding was allocated to DEA's Office of Training ($30,000) for Marihuana Aerial Observer Schools and to the DEA Airwing ($50,000) for marihuana detection flights in support of State programs.

Allocation of funds—fiscal year 1982

State	*Amount*
Alabama	$20,000
Arizona	13,200
Arkansas	25,240
California	87,500
Florida	65,000
Georgia	52,000
Hawaii	45,000
Idaho	29,000
Illinois (combined with Missouri/Kansas)	
Kansas (combined with Missouri/Illinois)	
Kentucky	60,000
Louisiana	14,000
Maryland	15,000
Mississippi	34,000
Missouri/Illinois/Kansas	36,000
New Mexico	7,000
North Carolina	45,000
Oklahoma	25,000
Oregon	66,000

Allocation of funds—fiscal year 1982—Continued

State	*Amount*
Puerto Rico/U.S. Virgin Islands	12,500
South Carolina	15,900
Tennessee	40,000
Virginia	50,000
Washington	39,000
West Virginia	47,000
Subtotal	843,340
Other:	
DEA training (for four marihuana aerial observers schools which trained 120 officers from 22 States)	30,000
DEA airwing (for flights in direct support of State programs)	50,000
Total	923,340

TRAINING

Marihuana Aerial Observer Schools

Four Marihuana Aerial Observer Schools were conducted by DEA at which 120 State and local enforcement officers from 22 States received training in detecting marihuana from the air and related eradication skills. The Office of Training assigned an agent instructor to coordinate the instructional and administrative aspects of the course while the Airwing assigned an agent pilot to schedule aircraft support. Additionally, DEA supported Aerial Observer Schools given by State authorities in California, Mississippi, Arkansas and Florida.

The schools were conducted during July and August when marihuana fields were at a stage of growth allowing detection from the air. It was apparent that the schools need to be given earlier so the trained personnel can be prepared to function at the beginning of the eradication cycle commencing in July.

Considerable interest was generated for the schools and requests for training were received far in excess of that which could be provided. Several more schools will be scheduled for early spring and summer 1983. Photographs of fields taken from aircraft will be used to teach identification since actual plots will not be available that early.

Prosecutors' Seminars

In October, Headquarters Program Coordinators attended a two day Prosecutors' Seminar hosted by the California Bureau of Narcotic Enforcement and attended by State and county prosecutors and two U.S. Attorneys. The purpose in attending was to determine the desirability of DEA hosting similar fora in other States. The consensus was that such seminars are an excellent medium by which to orient and motivate prosecutors concerning marihuana cultivation cases. It also served to remove the skepticism of some prosecutors concerning the ability of a trained observer to detect marihuana from the air. Legal problems incident to evidence handling and collection, warrants, seizures, surveillances and sentences were debated with various prosecutors offering the benefit of their experiences. The latest developments in case law and precedents were discussed as well. A series of similar seminars in various

States will be sponsored by DEA as part of the 1983 Domestic Marihuana Eradication/Suppression Program.

INVESTIGATIVE AND AIRCRAFT SUPPORT

Investigative Support

DEA field offices provided investigative support to State/local eradication efforts, when requested, as resources permit. A primary area in which this occurs is the DEA adoption of investigations involving seized assets where prosecution under Federal law is more appropriate than under State law.

Aircraft Support

The DEA Airwing flew 481 missions for a total of 1,332 flying hours in support of the eradication program this year. This effort represented 12 percent of the Airwing's total missions flown for 1982. Of the 481 missions flown, 396 resulted in positive sightings of marihuana fields.

Almost all of these missions were flown using DEA's single engine high wing aircraft. DEA helicopters were not utilized for the eradication campaign except for the Hughes 500 stationed in Chicago. It was deployed for several days to Arkansas in support of a special joint eradication operation.

The DEA Airwing has in the past been the backbone of the air search effort. However, due to heavy Airwing commitments to the Caribbean interdiction operation and to investigative support, an effort has been made to prevail upon State and local agencies to use their aircraft when possible. This was done with success in 1982. Where funds to fly their aircraft was a problem, DEA provided money for gasoline, oil, etc. In some cases aircraft were rented and in some cases private citizens provided aircraft.

TECHNOLOGICAL ACTIVITIES

Aerial Sensing and Photography

During 1982, DEA's Office of Science and Technology experimented with various types of sensing and photographic devices from aerial platforms to discover marihuana fields. To date no efficient cost effective procedure or technique has been found superior to a trained airborne observer. The search continues.

Marihuana Destruction

To date, destruction by burning is the surest way to destroy marihuana which has been manually harvested. This is a labor consuming effort. The Office of Science and Technology is seeking possible ways to cut down on the effort involved. The use of a shredder has been suggested and tested. If a mobile self contained shredder can be found which will virtually reduce a marihuana plant to an unrecoverable state, it may be possible to destroy the plants at the growing site without ecological danger to the surrounding area. This search also continues.

Pinpointing Field Location

Accurately plotting a marihuana field on a map in an airplane over remote forbidding terrain is a challenge for even the most experienced pilot or observer. Yet it is essential for purposes of obtaining a search warrant and also for a raid party to subsequently find the field. Two items of equipment are under consideration to alleviate the problem. First is a small radio receiver which uses the LORAN C navigational aid system. This equipment has been tested by the U.S. Forest Service with excellent results. It will be tested by DEA over the winter at the invitation of the Forest Service. This equipment will place the position of the operator in degrees, minutes and seconds of latitude and longitude to within a 60-foot radius. When it is desired to return to the spot, the operator sets the position desired in the equipment. The equipment then directs the operator back to that point.

The second item is a survivable beacon which can be dropped from an aircraft on or near a marihuana field. The beacon then transmits a radio signal which can be detected and homed in on by an aircraft. This unit is currently under development through a contract between the Office of Science and Technology and an electronics firm.

PUBLIC AWARENESS AND PRESS RELATIONS

While DEA's Public Affairs Section responded to press inquiries in a commendable manner, DEA efforts to educate the public regarding domestic marihuana cultivation and to enlist their support for eradication/suppression programs have been pursued on an ad hoc basis. In 1982, DEA initiated the development of materials that will be made available to DEA offices and State and local authorities for use as public statements or talks to public officials and citizens' groups such as the PTA, fraternal orders, clubs, churches, etc. Among these materials will be a videotape which is now under production by the Headquarters Audiovisual Section. This film, which documents the seriousness of the domestic marihuana problem and highlights law enforcement efforts against it, will significantly support DEA and State/local agencies in their public affairs efforts.

Guidance to the field will be furnished regarding statements to the press in the 1983 campaign.

At the national level, recent statements by the President and the Attorney General that include marihuana trafficking among the Federal priorities for suppression have had a positive effect in the field. Meetings attended by the Program Coordinators at law enforcement conferences (SDEA, LECC etc.) reflect that for the first time the United States Government is viewed as being serious about combating marihuana. This has caused these groups to respond with equal or greater enthusiasum.

More public statements are needed in the spring to prepare the press and enlist public support for the 1983 campaign. These statements need to come from prominent public figures at all levels of government.

HERBICIDES

In October 1982, the Florida Department of Law Enforcement (FDLE) destroyed a field of approximately 80 acres of maturing marihuana plants using the herbicide paraquat. This action was taken following an unsuccessful attempt by NORML to enjoin the FDLE in State court and to enjoin DEA in Federal District Court. The DEA Office of the Chief Counsel played a major role in defending the Government's position.

The action taken by FDLE was a courageous, responsible advancement to the domestic eradication effort. It broke the ice and provided an initial signal to foreign source countries that the United States will use paraquat to destroy marihuana.

An herbicide, trade named K–10, was applied to a 50 acre field of marihuana in New Mexico by State authorities. This was done without DEA participation. The herbicide did not prove effective in killing the plants within a few days. State authorities therefore destroyed the field manually.

B. Select Committee on Narcotics Abuse and Control Review

In 1983 the Select Committee on Narcotics Abuse and Control placed a high priority on the efforts of the Drug Enforcement Administration to identify and control the domestic production of marihuana. Through oversight hearings focusing on DEA, field hearings in locations where marihuana cultivation and eradication programs have been of local concern, surveys of State Attorneys General and California enforcement officers, and briefings with DEA staff the Committee has sought to keep abreast of DEA's programs in this critical area and its success in suppressing illicit cultivation. The implications of the unchecked growth of marihuana in the United States cannot be minimized and reports of the success in the fight against domestic cultivation must not be overrated. Our efforts to control and eliminate the cultivation of narcotic crops in source countries will be unduly frustrated if our own drug enforcement agency is unsuccessful in its attempt to control the domestic production of cannabis.

Although DEA is moving in the right direction, far greater efforts must be made and greater resources allocated, if we are to ever bring the growth of marihuana in the United States under control.

DEA'S PROGRAMS AND PRACTICES

The domestic marihuana program of the Drug Enforcement Administration essentially consists of a cooperative program with 40 State's law enforcement agencies primarily responsible for the eradication of domestic cultivation and the apprehension of growers. DEA has submitted the following marihuana program description to the Committee:

Program Guidance, accomplished through the development of annual operating plans by the DEA State Coordinator and State and county law enforcement representatives.

Funding, provided to each State according to needs reflected in the operating plans and subject to review by DEA. Allocations are made through letters of agreement.

Investigations, conducted jointly by DEA and State authorities.

Air Support, provided by DEA pilots and aircraft for training and aerial surveillance.

Intelligence, stressing information sharing to develop an intelligence base on the extent of cultivation and distribution systems.

Training, to include support for State-sponsored schools and prosecutor seminars. In 1983, DEA has conducted 19 schools for State, local, U.S. Forest Service, Bureau of Land Management, and military personnel in the location of marihuana plants by air, the securing of search warrants, and the conduct of raids on marihuana growing sites.

Technological Support, including development of an herbicide model, testing of new equipment for locating and plotting growing sites, and participation in a high-altitude reconnaissance project with the U.S. Forest Service.

Public Awareness, in which DEA works with the White House Media Coordinating Committee, distributes its "DEA Eradication Program" film, provides public information guidance to DEA field offices, and helps State agencies establish public cooperation hotlines.

Interagency Cooperation, in which DEA coordinates the program with the Director of the White House Drug Abuse Policy Office, U.S. Forest Service, Bureau of Alcohol, Tobacco and Firearms, FBI, State Department, National Guard, National Park Service, Bureau of Land Management, and Bureau of Indian Affairs.

DEA programmed $2.4 million for fiscal year 1983 and $2.5 million for fiscal year 1984 to support State marihuana eradication efforts. In addition, DEA has assigned two senior headquarters managers to direct the program with the assistance of three staff coordinators. Three DEA field personnel are assigned TDY to the marihuana eradication training program and thirteen DEA pilots and two airwing coordinators are engaged in the endeavor.

While the Select Committee believes that DEA's cooperative program with the States is the most effective way to combat domestic marihuana production, and the program developed by DEA has the potential of success, the strong effort by DEA to date has not been able to appreciably reduce the level of domestic production of marihuana in the country. For example, when Acting Administrator Mullen appeared before the Select Committee on May 24, 1983, he indicated that more cannabis was eradicated in the United States in 1982 than was previously believed to exist. DEA estimates that 1,653 metric tons of marketable marihuana were eradicated in 1982. The intelligence estimate for total 1982 domestic marihuana production was 1,200 metric tons. Therefore, the program showed that in 1982, 38 percent more domestic marihuana was eradicated than was previously believed to exist.

For 1983, however, DEA has tentatively informed the Committee it does not plan to make a tonnage estimate of 1983 production and will only announce the number of plants that it has eradicated. DEA estimates that in 1983 law enforcement agencies will eradicate 3.7 million plants. DEA has indicated to the Committee its re-

luctance to place an estimate on actual domestic production in 1983 because of variations in measurements by police authorities of the weights of marihuana plants and in the size of growing areas.

UTILIZATION OF PARAQUAT IN DOMESTIC MARIHUANA ERADICATION

In August 1983 the Drug Enforcement Administration announced plans to begin a domestic marihuana eradication program using the herbicide paraquat. Paraquat has had a checkered history in narcotics enforcement. In 1978 the Congress passed the "Percy Amendment" which forbade the use of U.S. foreign assistance funds to support marihuana eradication programs abroad involving the spraying of paraquat. This prohibition was triggered by a Department of Health, Education, and Welfare [HEW] estimate that an estimated 50–100 marihuana smokers a year in the United States were likely to be harmed by smoking paraquat-sprayed marihuana.

Subsequent congressional findings, most notably by the Select Committee, revealed that paraquat is the most effective and environmentally safe herbicide for use in marihuana eradication programs. Moreover, it was found that HEW's analysis of potential health risks from smoking paraquat-sprayed marihuana was based on highly questionable "worst case" assumptions.[3] The Percy Amendment also had seriously undermined the credibility of our Nation's commitment to international narcotics control and impeded our ability to encourage the cooperation of source countries on drug matters. Based on these congressional findings, the Percy Amendment was repealed in 1981.

Notwithstanding this repeal, marihuana source countries, most notably Colombia, continued to show a reluctance to participate in marihuana eradication efforts spraying paraquat. This intransigence, coupled with a growing domestic marihuana cultivation problem, prompted DEA to begin spraying marihuana in Chattahoochee National Forest in Georgia on August 12, 1983. This began a planned effort that would have included spraying in national parks and forests in Kentucky and Tennessee. After the brief effort at spraying paraquat in Georgia, DEA's program was met by lawsuits which blocked its continuation. The suits were filed by the Sierra Club and the National Organization for the Reform of Marihuana Laws [NORML]. Essentially, the opponent argued that the spraying violated the National Environmental Protection Act [NEPA] because DEA proceeded with its spraying project without the benefit of an environmental impact statement [EIS].

On November 8, 1983, Judge June L. Green in the United States District Court for the District of Columbia issued a consent judgment prohibiting DEA from using or authorizing the use of paraquat on Federal lands until the preparation of an EIS on paraquat's use in compliance with NEPA and the regulations of the Council on Environmental Policy. At the present time DEA is pro-

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[3] The HEW analysis and conclusions resulted from a computer simulation based upon unrealistic assumptions. The Select Committee staff recalculated the same data but with more realistic assumptions concerning smokers' habits and the amount of paraquat retained in their pulmonary tissues. The results indicated that the public health risk of smoking paraquat sprayed marihuana is negligible, and that it may impose less of a health risk than that imposed by smoking uncontaminated marihuana.

ceeding with the preparation of an EIS and hopes to properly complete the tests in time for the recommencement of the paraquat spraying program in 1984.

The Select Committee supports the use of all legitimate means to eradicate the illicit cultivation of marihuana in the United States. It compliments the comprehensiveness of the program developed by DEA. We urge DEA, however, to insure that all statutory requirements are met before a plan of action is decided upon. Our efforts to convince other nations to utilize paraquat in marihuana eradication efforts will be irreparably damaged if our own Nation becomes embroiled in an unnecessary controversy over the use of paraquat for marihuana eradication purposes.

PART II—DOMESTIC MARIHUANA CULTIVATION: A SURVEY OF STATE ATTORNEYS GENERAL

Introduction

Chairman Charles B. Rangel of the Select Committee on Narcotics Abuse and Control, U.S. House of Representatives, requested an estimate of the local situation concerning the cultivation of marihuana from the Attorneys General of each of the fifty States and four U.S. territories. This inquiry also dealt with additional matters surrounding the eradication of cultivated marihuana. The responses to this survey make up the majority of the .aterial presented in this text.

The survey was developed by the late John W. Peploe, Select Committee Investigator, and transmitted to the State and territorial attorneys general on May 6, 1983. The survey dealt specifically with the following issues: the local situation concerning the cultivation and growth of domestic marihuana, whether or not the Federal, State, and local systems are bearing a fair share of the responsibility in eradication of cultivated marihuana, specific problems confronting law enforcement agencies, the kind of marihuana encountered (particularly sinsemilla), the marketing of the product, and violence associated with cultivation efforts.

Additional material was taken from the testimony of three witnesses in field hearings held in Redding, California by the Select Committee on July 22–23, 1983. The hearings concentrated on problems encountered in the national effort to eradicate the marihuana cultivation industry, and attempted to determine the extent of unauthorized use of public lands by marihuana growers. The testimony utilized in this report were given by Attorney General Jim Jones of Idaho, Frank Navarrete, Director of the Arizona Criminal Intelligence Agency, and Zane G. Smith, Jr., Regional Forester, Forest Service, U.S. Department of Agriculture. Allocation and seizure figures, when not specified in the responses from the Attorneys General, were taken from DEA (Drug Enforcement Administration) sources.

Background Information

Cultivation of marihuana in the United States seems to be increasing. Marihuana was originally grown in the United States for making rope before synthetics were discovered to fill this need. The marihuana used for this purpose was simply called "hemp". Hemp is the "fiber type" marihuana and is of poor quality for smoking although it can be smoked. This kind of marihuana grows wild in several States. The domestic marihuana grown now in this country specifically for its intoxicating effect is usually of a much higher quality, and this illicit cultivation has increased steadily in recent

years. All of the States reporting in this survey explicitly or implicitly support this conclusion with the exception of California which indicated a slight leveling off of production in 1982. Nonetheless illicit cultivation remains a serious problem in California. Several reasons have been suggested for the increase in domestic cultivation. These include the decriminalization of marihuana in several States, the widespread use of the herbicide paraquat on the crop in Mexico initiated during the Carter administration, and the crackdown on drug importation in Florida. It seems likely that the latter two have combined to produce a more active market for domestic marihuana. Also, with the advent of wide-scale production of high quality sinsemilla, the domestic crop is now more desirable than marihuana grown in South American countries.

This survey takes particular note of the increased rate of sinsemilla cultivation as well as of ordinary marihuana. Sinsemilla is produced when a female marihuana plant has been grown in isolation from the pollen of male plants. The flowers of such female plants do not produce seeds, but rather expend increasing amounts of energy producing resin in an attempt to collect pollen from a male plant. This increased amount of resin will double the concentration of THC in the marihuana, and the flowering tops of the sinsemilla plant (where the resin concentration is the highest) will grow unusually large. This sinsemilla is considerably more potent and marketable than regular marihuana. Sinsemilla production demands increased sophistication and dedication on the part of the grower. The plants must be sprouted and grown until their sex can be determined, the male plants weeded out, and the female plants transplanted to isolated areas where they will have a good chance of reaching maturity undetected. To further increase the yield of the sinsemilla, they are usually fertilized and watered from streams, cisterns, or elaborate irrigation systems designed by growers for that purpose. Sometimes, sinsemilla is grown in buildings or homes under artificial light or in greenhouses. One mature sinsemilla plant will produce one or two pounds of sellable material and frequently more. Ordinary domestic marihuana sells for $150 to $250 a pound, while sinsemilla sells for ten times as much and sometimes more. Fewer sinsemilla plants need to be grown, hiding and transporting the plants is easier, law enforcement is frequently ineffective, the market for the product is good, and the potential profits to be had are huge. This dramatic increase in value of the product makes growing sinsemilla much more attractive as a business venture than growing regular marihuana. Some growing operations may involve small well hidden plots consisting of a handful of plants each, while others may involve large areas containing hundreds or even thousands of plants. With a value of up to $2,500 or more per plant, it is evident that large sums of money are being dealt with.

Considering the amount of money involved in the cultivation of sinsemilla, it is not surprising that such illicit cultivation efforts are not infrequently associated with violence. Growers use weapons and booby traps to protect their cultivations from anyone attempting to take their valuable crop. At times, law enforcement officers have been threatened and even killed by gunfire from protective marihuana growers. Booby traps may take the form of trip wires

connected to fragmentation grenades, dynamite or firearms, "punji stakes," fish hooks suspended at eye level, and others. It seems that jungle warfare technology used in Vietnam is now being used in this country to defend illicit marihuana cultivation projects. Guard dogs and armed guards are also frequently encountered during eradication efforts. The proliferation of marihuana cultivation in the U.S. has not only caused violence, but it has also caused a flood of high potency marihuana available to U.S. buyers. State and local law enforcement systems are frequently faced with a situation where their expertise, manpower, and funds, including Federal assistance through DEA, are inadequate to deal with the problem of widespread and serious minded marihuana cultivation. For this reason, a need for increased Federal assistance was frequently observed in survey responses from State authorities.

In response to the proliferation of domestic marihuana cultivation, DEA began in 1979 to support marihuana eradication efforts by State and local law enforcement agencies. In 1979, DEA supported eradication programs only in California and Hawaii. Five additional States were supported by DEA in 1981. In 1982, the domestic cultivation of marihuana increased dramatically, and a higher proportion of the crop was sinsemilla. To meet this new threat, DEA expanded its allocations to twenty-four (24) States and one territory increasing the budget over five times the 1981 level. In 1983, the 1982 budget was again doubled and allocations included an additional nine States. This information is presented in Table I. The strategy of DEA's Domestic Marihuana Eradication/Suppression Program is to apply Federal involvement domestically within a flexible framework. The goal of this strategy is to deter commercial sinsemilla production and to suppress the proliferation of cultivation into areas which do not already have this problem.

Table I

DEA Domestic Marihuana Eradication/Suppression

Allocations Provided to the States

States	1982	1983	%Change 1982-1983
ALABAMA	$20,000	$41,000	105% (+)
ALASKA	NONE	NONE	----
ARIZONA	13,200	20,000	52% (+)
ARKANSAS	25,240	72,000	185% (+)
CALIFORNIA	87,500	233,000	166% (+)
COLORADO	NONE	44,500	---- (+)
CONNECTICUT	NONE	NONE	----
DELAWARE	NONE	10,000	---- (+)
FLORIDA	65,000	71,000	9% (+)
GEORGIA	53,000	103,000	98% (+)
HAWAII	45,000	112,000	150% (+)
IDAHO	29,000	32,750	13% (+)
ILLINOIS*	12,000	14,000	17% (+)
INDIANA	NONE	32,000	---- (+)
IOWA	NONE	4,000	---- (+)
KANSAS*	12,000	10,000	17% (-)
KENTUCKY	60,000	137,000	128% (+)
LOUISIANA	14,000	28,000	100% (+)
MAINE	NONE	NONE	----
MARYLAND	15,000	17,000	13% (+)
MASSACHUSETTS	NONE	NONE	----
MICHIGAN	NONE	NONE	----
MINNESOTA	NONE	17,000	---- (+)
MISSISSIPPI	34,000	51,000	50% (+)
MISSOURI*	12,000	5,150	59% (-)
MONTANA	NONE	440	---- (+)
NEBRASKA	NONE	9,000	---- (+)
NEVADA	NONE	NONE	----
NEW HAMPSHIRE	NONE	NONE	----
NEW JERSEY	NONE	NONE	----
NEW YORK	NONE	NONE	----
NEW MEXICO	7,000	23,000	228% (+)
NORTH CAROLINA	45,000	60,000	33% (+)
NORTH DAKOTA	NONE	NONE	----
OHIO	NONE	15,500	---- (+)
OKLAHOMA	25,000	50,100	100% (+)
OREGON	66,000	94,450	43% (+)
PENNSYLVANIA	NONE	15,500	---- (+)
RHODE ISLAND	NONE	NONE	----
SOUTH CAROLINA	15,900	30,000	89% (+)
SOUTH DAKOTA	NONE	NONE	----
TENNESSEE	40,000	65,000	38% (+)
TEXAS	NONE	38,000	---- (+)
UTAH	NONE	12,500	---- (+)
VERMONT	NONE	NONE	---- (+)
VIRGINIA	50,000	50,000	0%
WASHINGTON	39,000	96,700	148% (+)
WEST VIRGINIA	47,000	63,000	35% (+)
WISCONSIN	NONE	15,000	---- (+)
WYOMING	NONE	NONE	----

*Illinois, Kansas, and Minnesota shared a $36,000 allocation in 1982

Territories			
AMERICAN SAMOA	NONE	NONE	----
PUERTO RICO/ VIRGIN ISLANDS	12,000	NONE	100% (-)
TOTAL=	$843,340	$1,693,560	101% (+)

Source: Drug Enforcement Administration

A content analysis was conducted on the responses to the survey by Mr. Ronald Kaye and Dr. Martin I. Kurke of the Select Committee staff. The types of responses that occurred most frequently are discussed in this section and illustrated in Table II. A short narrative of the situation in each State or territory responding is presented later in the next section including both the situation with respect to the categories from Table II when this information was given and any anecdotal information provided in a response from a given State or territory. Of the fifty-three (53) surveys sent, forty-four (44) have been returned, accounting for 80 percent of the States and 100 percent of the territories, or 83 percent of the total group.

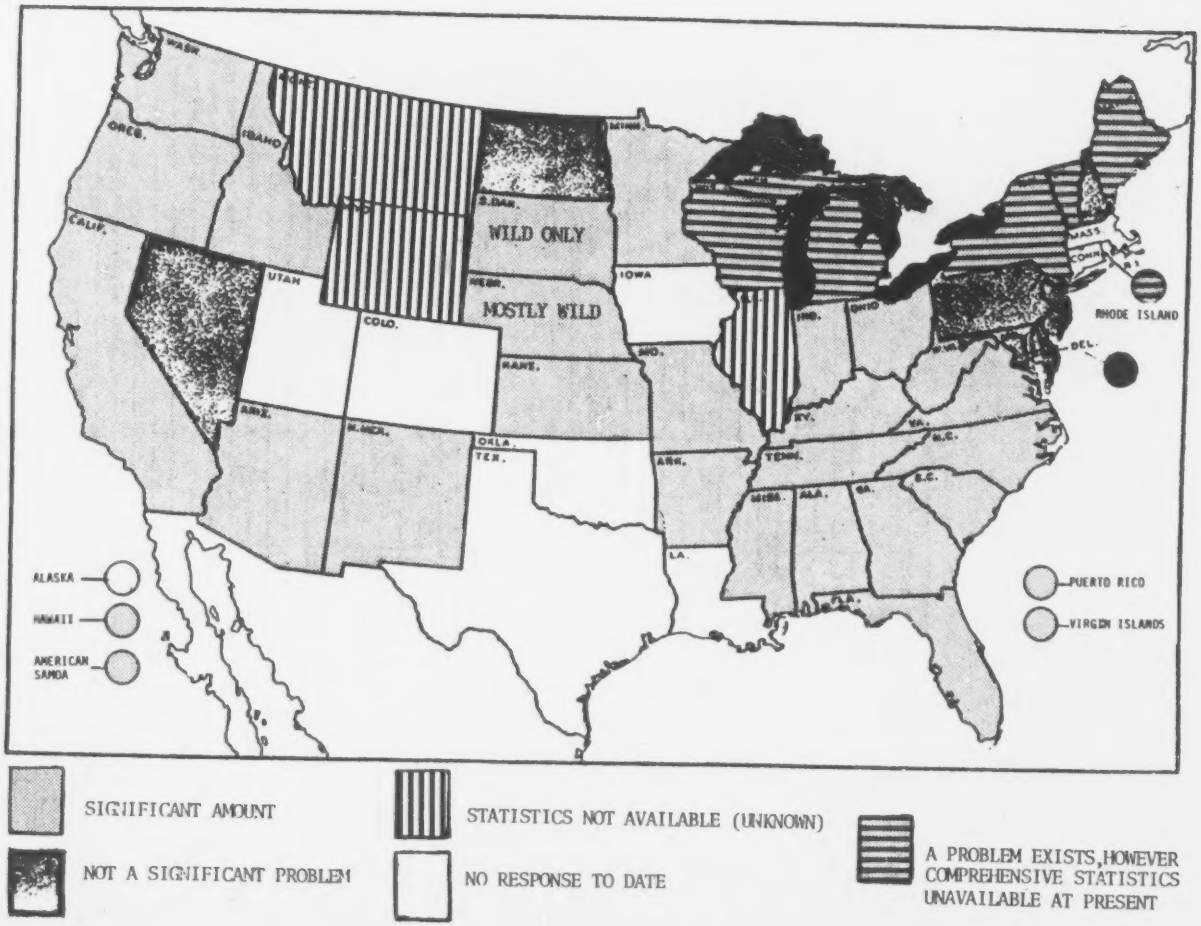
Results

A SUMMARY OF SURVEY RESULTS

The first issue dealt with in the survey was the extent of the local situation concerning the cultivation and growth of marihuana. For the purposes of this discussion, the responses to the survey were divided into five categories on this issue (see map, Fig. I). These categories were: (1) Significant Problem, (2) Significant Problem Although Comprehensive Statistics are Unavailable, (3) No Significant Problem, (4) Statistics Unavailable (Unknown), (5) No Response to Date.

Table II

	Federal Assistance Requested						Other Comments						
	Personnel and Training	Equipment	Public Awareness	Information Purchase	Drug Buy Money	Unspecified	Weapons and/or Booby Traps	Attacks on Officers/Aircraft	Greenhouses Used Frequently	Hidden Among Legitimate Crops	Frequently Grown on Federal Property	Not Sure as to the Extent of Cultivation	Just Starting to Research the Problem/Collect Data
ALABAMA	X	X							X				
ALASKA													
ARIZONA		X		X			X	X	X	X			
ARKANSAS							X						
CALIFORNIA							X	X	X		X		
COLORADO													
CONNECTICUT													
DELAWARE												X	
FLORIDA		X					X						
GEORGIA	X	X		X				X	X				
HAWAII							X			X			
IDAHO	X	X	X	X			X				X		
ILLINOIS												X	X
INDIANA		X							X				
IOWA													
KANSAS	X	X											
KENTUCKY							X	X					
LOUISIANA													
MAINE												X	X
MARYLAND									X				
MASSACHUSETTS													
MICHIGAN													
MINNESOTA							X						
MISSISSIPPI	X	X					X			X			
MISSOURI	X					X							
MONTANA	X	X			X							X	X
NEBRASKA										X			
NEVADA													
NEW HAMPSHIRE													
NEW JERSEY													
NEW YORK	X	X											
NEW MEXICO	X	X	X				X		X				
NORTH CAROLINA							X						
NORTH DAKOTA													
OHIO							X	X					
OKLAHOMA													
OREGON	X	X					X	X	X				
PENNSYLVANIA													
RHODE ISLAND	X	X											
SOUTH CAROLINA													
SOUTH DAKOTA													
TENNESSEE		X						X					
TEXAS													
UTAH													
VERMONT													
VIRGINIA						X	X						
WASHINGTON													
WEST VIRGINIA							X						
WISCONSIN	X											X	
WYOMING	X									X		X	
Territories													
AMERICAN SAMOA	X												
PUERTO RICO													
VIRGIN ISLANDS	X												
Total=	15	14	2	3	1	2	15	7	8	5	2	6	3


WILD ONLY
MOSTLY WILD
RHODE ISLAND
ALASKA
HAWAII
AMERICAN SAMOA
PUERTO RICO
VIRGIN ISLANDS
SIGNIFICANT AMOUNT
NOT A SIGNIFICANT PROBLEM
STATISTICS NOT AVAILABLE (UNKNOWN)
NO RESPONSE TO DATE
A PROBLEM EXISTS, HOWEVER COMPREHENSIVE STATISTICS UNAVAILABLE AT PRESENT

In the State-by-State Perspective, the discussions of all States and territories responding are grouped according to these categories.

The majority of the States were judged as having a significant problem with marihuana cultivation. Of the forty-one (41) States and three (3) territories responding to the survey, twenty-five (25) States and three (3) territories were judged as having a significant problem with marihuana cultivation within their jurisdiction. The actual magnitude of the problem with marihuana cultivation does vary among States in the Significant Problem category. In some States such as Hawaii, California, and Oregon, marihuana cultivation is a very large problem, while some States, such as Minnesota and Nebraska, have a problem which is considerably less severe, but still judged to be a significant problem with marihuana cultivation include nearly all of the coastal States in the east and west with the exception of New Jersey, Delaware, and Maryland (Massachusetts and Connecticut have not responded). Three of these States, Minnesota, Nebraska, and South Dakota experience much of their problem with wild hemp which has spread from legitimate cultivation as described earlier. In all but a few cases, widespread cultivation of marihuana is associated with frequent cultivation of sinsemilla in the same area. Notable exceptions include Alabama, Georgia, and New Mexico. In these States sinsemilla does not seem to be frequently grown compared to the amount of regular domestic marihuana. Also, States experiencing the bulk of their problems with the wild hemp type of marihuana do not report a corresponding serious problem with sinsemilla. The rest of the States in this group produce at least 10 percent sinsemilla and frequently more.

There are six (6) States in which there seems to be significant cultivation, although no system presently exists which can provide comprehensive statistics on seizures and eradications. Data from these States are anecdotal, but clearly portend a significant problem with marihuana cultivation. As can be seen from the map, these States are clustered in the northeastern portion of the country. It is suggested that the marihuana cultivation boom was unexpected in these areas, probably due to their relatively cool climate and short growing season and the belief that marihuana would not flourish there. Of these five States, only Wisconsin was allocated funds for an eradication effort in 1983.

Seven States indicated that marihuana cultivation was not a significant problem. These States were somewhat scattered although there is a group including Pennsylvania, Maryland, New Jersey, and Delaware which are in close proximity. It is consistently reported that the lack of cultivation is primarily due to poor growing conditions for marihuana plants. Although the use of greenhouses should eliminate this problem, the existence of greenhouses or indoor cultivation efforts do not seem to represent a significant problem in these areas.

Three States report that the extent of marihuana cultivation within their jurisdiction is unknown; that the statistics are not available. The offices responding in this group did not volunteer any anecdotal information which would allow the committee to categorize the area as having either a significant problem or no significant problem with marihuana cultivation. Montana and Illinois

received an allocation for marihuana eradication in 1983; Illinois also received an allocation in 1982.

The final category consists of nine jurisdictions which have not yet responded to the survey. It is not known why they did not respond.

Many States indicating a significant problem with marihuana cultivation also indicated a need for increased Federal support to eradicate this activity. Fifteen (15) States having a significant problem with cultivation including Montana (which is unaware of the extent of its cultivation problems) specifically mentioned the need for increased DEA allocations or assistance. When specified, the most frequent types of assistance needed were equipment, manpower, and training. The kind of equipment most frequently specified was cameras and other surveillance equipment, navigation and communications equipment, aircraft rental, and access vehicles including helicopters, four-wheel-drive vehicles, and trucks for hauling confiscated marihuana to a disposal site. (See Table II.) Manpower is requested for enforcement, surveillance and/or eradication labor. Training is needed for law enforcement, the ability to recognize marihuana plots from the air, and/or how to tell sinsemilla from regular marihuana. Increased DEA funding would be used to finance some or all of these needs. These shortcomings are frequently expressed by States experiencing problems with cultivation. DEA has been providing increasing amounts of financial assistance to most of these areas (see Table I).

Problems confronting law enforcement agencies tend to relate directly to problems with a lack of adequate funds, equipment, and/or personnel as described above. Occasionally it is mentioned that the public needs to be made more aware of the marihuana cultivation situation to help support police eradication efforts. Another area of concern was the inadequacy of the penalties handed out to marihuana growers by the courts. These penalties are thought to be too lenient in light of the profit potential of marihuana cultivation. Frequently, cultivation cases do not even make it to the courtroom. When growers are convicted, their maximum sentences are usually in the neighborhood of 6 months in prison and a $600 fine. The proceeds from the sale of a single plant could pay the fine and leave a margin of profit.

As noted earlier, most of the marihuana cultivated is of the regular domestic type although sinsemilla has become more frequent in recent years. In most cases, frequent cultivation of marihuana indicates the frequent cultivation of sinsemilla (see States with a significant problem). A few States estimated that the majority of marihuana in their 1982 crop was sinsemilla. These States included Arizona, California, Delaware, Hawaii, Kentucky, Maine, and Oregon. These States fall into two categories: (1) States with a comparatively small problem with cultivation, and (2) States with a large problem with cultivation. States in the first category include Delaware and Maine. In these States, the reported percentage of sinsemilla is high due to the observation of relatively few cases in which all or a high percentage of the marihuana was sinsemilla. States in the second category, comprising the remainder of the group, are large producing States, and it can be safely assumed that the high percentage of sinsemilla in these States is the result

of a large number of professional growers devoted to producing high quality and high priced sinsemilla on a large-scale basis. When expected trends in marihuana growing were volunteered by survey respondents, they always asserted that marihuana cultivation, and particularly sinsemilla cultivation, would increase in the near future if present trends continued.

Information on the marketing of marihuana is somewhat incomplete. It seems that the large producing States in the West such as Oregon and Idaho sell a large portion of their marihuana crop to California. California, it seems, uses, grows, buys, and sells large amounts of marihuana from and to other States. On the east coast, the marketing is more complicated. There is evidence that large producing States in the South sell their marihuana to northeastern States and Canada. Some domestic marihuana becomes absorbed into distribution channels for marihuana and other drugs imported into Florida. In other States, marihuana is grown only for personal use and/or local distribution within that State. This local distribution includes college campuses and secondary schools.

Violence associated with marihuana cultivation is a serious problem. It seems that, not surprisingly, an increased likelihood of violence follows increased cultivation of marihuana. Violence has involved innocent recreationists, plot bandits attempting to steal marihuana from growers, and law enforcement officers attempting to investigate and arrest growers and eradicate growing marihuana. The passive hippie marihuana grower has been replaced by profit motivated big business growers of today, many of whom will not give up their valuable crops without a fight. It can only be assumed that as long as marihuana is grown illicitly under laws as they now exist, violence will continue to accompany this activity.

The following is a State-by-State analysis within each of the four categories of problem significance.

—States with a Significant Problem with Marihuana Cultivation.
—States with Apparent Significant Cultivation but Little or no Supporting Statistics.
—States with an Unknown Degree of Marihuana Cultivation.
—States Reporting no Problem with Marihuana Cultivation.

It was thought that by separating the States into these categories, the reader can more easily perceive similarities between different States experiencing the same kind of problem.

STATE-BY-STATE PERSPECTIVE

States With a Significant Problem With Marihuana Cultivation

Alabama
Arizona
Arkansas
California
Florida
Georgia
Hawaii
Idaho
Indiana
Kansas
Kentucky
Minnesota
Mississippi
Missouri
Nebraska
New Mexico
North Carolina
Ohio
Oregon
South Carolina
South Dakota
Tennessee
Virginia
Washington
West Virginia
American Samoa
Puerto Rico
Virgin Islands

Alabama. The situation in Alabama is similar to that of several of its neighboring States in the South. Marihuana is reported to be

growing at an "overwhelming rate." Although sinsemilla was not mentioned specifically, its presence in Alabama is indicated by the $17 million value attributed to the 32,000 plants eradicated as of July 1983. This works out to $531 per plant which appears to be too high a price for regular marihuana, especially in the first half of the growing season when plants should be small. Alabama reports marihuana plants growing in rural fields, in forests, and in greenhouses. More money, manpower, and equipment are seen as necessary to fight the problem in Alabama. In 1982, DEA allocated $20,000 to the marihuana eradication effort in Alabama. Alabama estimates that 10–20 percent of its marihuana was eradicated that year. This allocation was increased to $41,000 in 1983.

Arizona. Arizona is experiencing an increasing level of marihuana cultivation, and sinsemilla is by far the predominant variety of marihuana being encountered. Booby traps and weapons have been found in greenhouses, fields, and homes associated with cultivation efforts. Marketing information indicates the likelihood that the major quantity sales have gone to the Northeastern United States and Canada. A Public Safety helicopter was hit by rifle fire from a marihuana field with no resulting casualties. However, during the last 2 years, at least one homicide has taken place in a region of Arizona where 50 percent of the surveilled cultivators are reported to carry firearms. If Arizona is to battle the marihuana cultivation effectively, the authorities there indicate that they will require increased Federal funds to facilitate the efforts of law enforcement personnel. Arizona indicates the need for additional manpower, resources, access and sophisticated surveillance equipment. In 1982, Arizona received $13,200 from DEA, and eradicated an estimated 30 percent of its illicit marihuana. Arizona received $20,000 from DEA in 1983.

Arkansas. One of the major difficulties encountered by law enforcement personnel in Arkansas has been booby traps and armed guards. The booby trap devices range from complex electronically detonated dynamite bombs to fish hooks suspended by monofilament line. Plots are also sometimes protected by armed guards. In 1983, a forest service employee was wounded by an individual guarding a marihuana plot. Intelligence reports indicate that there will be more guards and hazards in the future. Arkansas was allocated $25,240 in 1982 by DEA for marihuana eradication. This allocation was increased to $72,000 in 1983.

California. The cultivation of marihuana in California is extensive, and has resulted in violence involving growers, innocent citizens, law enforcement personnel, and U.S. forest workers. Booby traps and armed guards are encountered frequently in California. U.S. Forest Service personnel feel that they are in danger from growers and booby trap devices when they attempt to carry out such regular functions as surveying and maintenance in the national forest. The policy of the forest workers is "when in doubt or challenged, get out fast." The Forest Service has also begun to distribute a "Visitor Take Caution" brochure. Another concern of the Forest Service in California is with the erosion that can take place when a garden site is cleared and planted with marihuana, and the sometimes careless use of pesticides and fertilizers by growers. Other problems include pollution and fire hazards associated with

individuals residing in remote areas in order to tend their marihuana plants. U.S. Forest Service personnel have not been trained to enforce controlled substance laws. They enforce only laws relating to the misuse of national forest land, the violation of which constitutes a misdemeanor charge. This amounts to a mere slap on the wrist to sinsemilla growers.

It is estimated that approximately 40 percent of the marihuana grown in California is grown on Federal property. The great expanses of land in California and the frequency of marihuana cultivation necessitate the extensive use of fixed wing aircraft and helicopters in locating and eradicating the illicit crop. California is somewhat more successful in its eradication effort than other States: the California problem has remained stable since 1980. The number of plants seized in California reached a peak in 1980 and has since declined slightly through 1982. Although the problem does not seem to be increasing, it is large and eradication is far from completed. In 1982, California eradicated an estimated 40 percent of its marihuana crop, second only to Virginia, which claimed 50 percent eradication. The State of California received $87,500 in 1982 and $233,000 in 1983. These were the largest allocations given by DEA for 1982 and 1983.

Florida. Florida also has a large problem with marihuana cultivation in addition to its problem with the importation of drugs from South and Central American countries. Florida reports that in 1982, approximately 50 percent of its 43,500 eradicated marihuana plants were sinsemilla. Despite increased efforts and the first extensive use of herbicides in the United States, it is felt that the problem of marihuana cultivation continues to increase. Booby traps are increasingly encountered in Florida. Florida indicates the need for increased funding, particularly to defray the expense of efficient aerial detection systems. There seems to be tolerant attitude toward domestically grown marihuana operations in Florida by prosecutors and courts. Many of the arrests associated with illicit cultivation were disposed of by probation. In 1982, Florida received $65,000 in funding from DEA and eradicated an estimated 23 percent of its illicitly grown marihuana. Florida received $71,000 from DEA in 1983.

Georgia. Georgia seized 500,000 pounds of marihuana in 1982. It is estimated that 10 percent of the marihuana grown in Georgia is sinsemilla. Greenhouses are used frequently by commercial growers. It is believed that marihuana from Georgia is funneled into networks already established to distribute imported drugs. An incident occurred in Georgia in which a law enforcement helicopter was hit by gunfire as it was conducting a marihuana search with no resulting casualties. Georgia indicates that problems encountered in domestic marihuana enforcement tend to relate directly to a lack of funding. Expenses include the buying of information from informants, and adequate personnel and equipment to carry out ground surveillance and aerial search efforts. At present, it is impossible for the Georgia State troopers to search more than about 20 percent of the State from the air during the growing season. In 1982, Georgia was allocated $45,000 by DEA for marihuana eradication, and estimates that it succeeded in eradicating approximately

10 percent of its marihuana. This figure was increased to $103,000 in 1983.

Hawaii.[4] Hawaii's large marihuana cultivation problem is becoming increasingly difficult to control. The marihuana growing there is not found in typical patches, but is scattered throughout the jungle and sugar cane fields. The State is involved with an intensive ongoing "green harvest" program utilizing national guard troops and materiel. This program destroyed 91 tons of marihuana statewide in 1981. Booby traps are a serious problem in Hawaii, and hikers have been accosted by hostile growers. The legislature has not seen fit to increase penalties for marihuana cultivation, although this is recommended by the office of the attorney general. In 1982, Hawaii was allocated $45,000 by DEA and estimated that it successfully eradicated 20 percent of its marihuana that year. The number of plants eradicated was 515,660; the largest number of plants eradicated by any State in 1982. In 1983, Hawaii was allocated $112,400 by DEA for marihuana eradication.

Idaho. Marihuana cultivation is a large problem in Idaho. There has been a 100-percent increase in the number of plants seized from 1982 to 1983. About half of the crop is reported to be grown on Federal land, and approximately 25 percent of the marihuana in Idaho is sinsemilla. In 1982, 12,489 plants were seized accounting for an estimated 10 percent of the marihuana in Idaho. Weapons and one booby trap device were found in connection with growing operations. Eighteen of the 27 growers arrested in 1982 had been involved with growing operations in California, Arizona, Oregon, and Washington. It was reported that these growers went to Idaho due to increased pressure placed on growers in their home States. Because such a large proportion of marihuana is grown on public land, Idaho expresses a desire for the Federal Government to "shoulder its fair share" in the marihuana eradication effort. This assistance should take the form of increased funding, additional DEA agents stationed in Idaho, and the use of helicopters to transport law enforcement officers to mountainous and remote areas according to Idaho officials. DEA allocated $29,000 to Idaho in 1982 for marihuana eradication. This was increased to $32,750 in 1983.

Indiana. Indiana has observed an increase in cultivation of marihuana in the last 3 years. They have also observed a great increase in the use of greenhouses for cultivation efforts. Indiana has witnessed some seizures of multi-thousand plant cultivations, although the majority of the plots seem to be in the 1-99 plant range. In 1982, Indiana received no DEA allocation for marihuana eradication. That year, Indiana eradicated 3,600 plants accounting for between 1 and 10 percent of the marihuana grown in the State. In 1983, Indiana was allocated $32,000 for its eradication efforts. The consensus in Indiana is that marihuana cultivation, especially sinsemilla, is expected to increase in the near future. Indiana indicates the need for more funding mainly for communications, navigation, access, and intelligence processing equipment.

Kansas. Kansas seems to be experiencing a large and growing problem with marihuana cultivation. Plots have been found in

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[4] See part IV of this report for more extensive information concerning marihuana cultivation in Hawaii, obtained during a Select Committee study mission in January 1984.

Kansas which have exceeded 10,000 plants. More than 30 percent of the crop is sinsemilla. The majority of the persons involved in growing marihuana in Kansas are thought to be part of large-scale criminal organizations. Forty percent of the marihuana grown in Kansas leaves the State. Both sinsemilla and regular marihuana cultivation are expected to increase in the near future. Kansas also experiences a problem with the growth of wild marihuana. Fixed wing aircraft and helicopters are needed in Kansas for aerial surveillance. As of December 14, 1983, Kansas has received $3,000 from the Federal Government for marihuana eradication, although official DEA sources indicate that Kansas was to be allocated $10,000 for this purpose. Kansas officials indicate that the vast bulk of the expense for marihuana eradication is carried by the State and local levels of government.

Kentucky. In 1982, law enforcement officers in Kentucky seized and destroyed approximately 320,000 marihuana plants. Approximately 60 to 70 percent of these plants were sinsemilla. Despite stiffer penalties enacted in Kentucky against marihuana cultivation, and aggressive law enforcement efforts, Kentucky still considers itself one of the three largest marihuana producing States, and was second only to Hawaii in eradicating the largest number of plants in 1982. Kentucky is also experiencing an increase in violent activity associated with marihuana production. This violence includes booby trapped fields, one homicide, and the death of a State policeman in a marihuana field in 1981. Kentucky was allocated $60,000 by DEA in 1982, and estimates that 25 percent of the marihuana in the State was eradicated. This figure was increased to $137,000 in 1983.

Minnesota. It is thought by State authorities that domestic cultivation of marihuana has increased in recent years in Minnesota. As with South Dakota and Nebraska, marihuana has spread from farms where hemp was grown during World War II as a legitimate crop for making rope. State weed control inspectors reported 1,222 acres of this wild hemp in 1982, of which 1,080 acres were destroyed by cutting, spraying or burning. Marihuana seeds have been seized by State officials, having been brought to the State from Hawaii, Mexico and Colombia. It is believed that the majority of marihuana grown in Minnesota is for in-State consumption. In 1982, 6,700 pounds of cultivated marihuana was seized. This marihuana was accounted for by only five farm operations involving 11 growers. DEA allocated no funds for marihuana eradication in 1982 and has allocated $17,000 in 1983 in Minnesota.

Mississippi. The soil and climate conditions in Mississippi are ideal for marihuana growth according to State authorities. The long growing season in Mississippi permits the growing of at least two marihuana crops a year. In 1982, 43,496 plants were eradicated, 60,530 plants were eradicated by November 10, 1983. There have been 1,369 sinsemilla plants eradicated. However, this figure is thought to be artificially low because many law enforcement officers do not know how to tell sinsemilla plants from regular marihuana. Marihuana is frequently found growing among corn and other crops. DEA allocated Mississippi $34,000 in 1982 and increased this allocation to $52,000 in 1983. It is expected, by State

officials, however, that the amount of marihuana planted in Mississippi will increase through 1984.

Missouri. Missouri is experiencing a large problem with the cultivation of marihuana and sinsemilla is "a great problem" Statewide. The majority of growers buying and leasing land on which marihuana is grown are from out-of-State according to the office of the attorney general. Cultivation projects in Missouri are sometimes protected by armed guards, guard dogs, and booby traps. The types of marihuana grown range from low grade fiber type cannabis to sinsemilla. Missouri requests aid in the form of manpower, training and funding. In 1982, Missouri, Illinois, and Kansas together were allocated $36,000 to eradicate cultivated marihuana. It is estimated that 10 percent of the marihuana in Missouri was eradicated that year. In 1983, Missouri was given a separate allocation of $5,150.

Nebraska/South Dakota. Nebraska and South Dakota experience most of their problem from the widespread growth of wild marihuana. The marihuana was grown in pre-war days when the hemp was used for its fiber in making rope. Since synthetics were discovered, the hemp was left to spread and flourish over large portions of the States. Nebraska reports that this wild marihuana, although of poor quality, is at times harvested by persons from out-of-State. This locally grown marihuana is sometimes wrapped in Mexican newspapers to increase its price. In Nebraska there have been some instances where marihuana has been found alternated with corn, and one "sizable" operation involving sinsemilla has been found. These States received no funding from DEA for marihuana eradication in 1982. In 1983, Nebraska received $9,000 and South Dakota did not receive an allocation.

New Mexico. New Mexico has experienced a dramatic increase over the last several years in marihuana cultivation. Although in 1983, 118,997 plants were destroyed, only about four percent of them were the more potent sinsemilla variety. New Mexico also reports a marked increase in the use of greenhouses to cultivate marihuana. These greenhouses can be spotted by surveillance aircraft, however their contents cannot be determined and concerned agencies lack the manpower necessary to investigate all the remotely located greenhouses in the State. Additional funding is sought for equipment, manpower, training, and public awareness programs. In 1982, New Mexico received $7,000 from DEA for marihuana eradication, and estimates that 10 percent of the marihuana in the State was eradicated that year. This figure was increased to $23,000 in 1983.

North Carolina. In 1982, 141,690 marihuana plants were destroyed in North Carolina accounting for an estimated 15–20 percent of the marihuana in the State. Approximately 10 percent of this marihuana was sinsemilla. An aircraft owned and being used by the North Carolina State Bureau of Investigation was fired upon and hit by a suspect with an AR–15. Several plots were located which contained hidden steel traps. In 1982, North Carolina was allocated $45,000 for marihuana eradication. This figure was increased to $60,000 in 1983.

Ohio. Approximately $28 million worth of marihuana was seized in Ohio in 1982, 40 percent of which was sinsemilla. About a third

of the marihuana seized was being grown in caverns 90 feet underground with grow lights. A helicopter being used by law enforcement officers to spot marihuana fields was fired upon with no resulting injury. This was the only incident of violence reported in 1982 in Ohio. Intelligence information indicated that marihuana grown in Ohio is being distributed throughout the eastern coast of the United States. Authorities believe that only 5 percent of the marihuana crop was eradicated in 1982. Ohio did not receive funding from DEA for eradication of marihuana in 1982. Ohio did receive $15,500 from DEA in 1983.

Oregon. Oregon, while admitting to heavy marihuana cultivation, was unable to estimate the size or value of their marihuana crop with any degree of precision. Their response to the questionnaire cited the National Organization for the Reform of Marihuana Laws (NORML) estimate of a $500,000,000 1982 crop. It should be cautioned, however, that NORML's estimates have no known valid data base, and that exaggerated reports of high valued crops would be consistent with their legislative objectives. Local intelligence indicates that over 80 percent of the marihuana produced in Oregon leaves the State as a cash crop and is not grown for personal consumption. A new type of hybrid sinsemilla known as the 90 day wonder is being cultivated in Oregon. This plant takes only 90 days to mature and sells for $3,500 a pound due to its high THC content. Indoor greenhouse growing is being increasingly used by marihuana growers in Oregon. There have been numerous incidents of violence associated with marihuana cultivation. In 1982, this violence included at least three attempted homicides, a number of kidnappings, and injuries to citizens who unwittingly entered a marihuana field and happened upon a booby trap device. Intelligence sources indicate that in some areas of Oregon, growers will resist law enforcement with deadly physical force if necessary rather than have their crops seized. Although DEA allocated $66,000 to Oregon in 1982, this is seen as "woefully inadequate" due to the immensity of the problem. Oregon requests additional aid in the form of funding for personnel related expenses, aircraft and access vehicles. It was estimated that 30 to 40 percent of Oregon's marihuana was seized in 1982. The DEA allocation for Oregon was increased to $94,450 in 1983.

South Carolina. It is the opinion of the local law enforcement in South Carolina that the cultivation and harvesting of domestically grown marihuana is on the increase. The main problem confronting law enforcement efforts in South Carolina is a lack of public awareness, a lack of coordinated law enforcement efforts and a lack of law enforcement personnel assigned to drug enforcement. Sinsemilla plants from a field in South Carolina contained the highest THC content ever analyzed at the University of Mississippi, although officials in South Carolina are unable to estimate the percentage of the marihuana in South Carolina that is sinsemilla. In 1982, South Carolina was allocated $15,900 for marihuana eradication, and eradicated an estimated 5 percent of the marihuana in the State that year. In 1983, this allocation was increased to $30,000.

South Dakota. See *Nebraska.*

Tennessee. Tennessee eradicated 293,400 plants in 1982 accounting for an estimated 20 percent of the total crop in the State, and 435,000 plants in 1983 as of October 26, accounting for an unknown proportion of the 1983 crop. The quality of the marihuana in Tennessee has been observed to improve, and "a suprisingly large amount" of the plants eradicated in Tennessee were sinsemilla. Officials claim that if 90 percent of the marihuana in the State was to be eradicated, about twice the number of helicopters and/or small aircraft would be needed; the major problem in the State being the location of the plants rather than the actual destruction of the crop. The street value of marihuana was observed to increase from $300 to $700 per pound as a result of the 1982 eradication effort. Tennessee was allocated $40,000 in 1982 and $65,000 in 1983 by DEA for marihuana eradication.

Virginia. In 1982, the State of Virginia seized 5,000 plants, 40 percent of which were sinsemilla. This is believed to have been 50 percent of Virginia's marihuana crop that year; $50,000 of the $67,000 expended in Virginia during the eradication program was federally funded. In 1983, Virginia was again given $50,000 by DEA. Additional State and Federal funding is needed to adequately operate the program. There were three incidents involving guns in the 1982 eradication program. These persons surrendered peacefully, however, when officers identified themselves. The marihuana grown in Virginia was destined for sale on college campuses, secondary schools, or to be sold locally. The typical grower supplied himself and sold what was left over.

Washington. In 1983, the State of Washington eradicated 20,000 marihuana plants, an unknown percentage of which was sinsemilla. It seems that Washington is a relatively large producing State as would be expected due to its close proximity to both Oregon and Idaho. The use of greenhouses is on the increase in Washington. DEA allocated $39,000 to Washington in 1982, and $96,700 in 1983.

West Virginia. West Virginia has a large problem with marihuana cultivation. In 1982, 35,000 plants were seized, 10 percent of which was sinsemilla. This accounted for approximately 15 percent of the crop in West Virginia. West Virginia reports increasingly sophisticated methods being used in growing marihuana, including elaborate irrigation systems, the use of heavy equipment for planting and harvesting, and the practice of tying the plants down so that they grow horizontally and are therefore harder to detect. Booby traps have been encountered in and around marihuana fields. Due to the ruggedness of the terrain, helicopters must be used to search for marihuana which takes considerably more time than fixed wing aircraft. The growing of marihuana is expected to increase in West Virginia. The magazine *High Times* has recently given a form of marihuana grown in West Virginia several awards for potency and the quality of the "high" caused by this marihuana. In 1982, DEA allocated $47,000 to West Virginia for marihuana eradication. In 1983, this figure was increased to $63,500.

American Samoa. In American Samoa marihuana is known to be grown for the local market. The law enforcement officials need training in search and seizure techniques and in the recognition of marihuana. In the present situation, court proceedings concerning

marihuana necessitate a sample to be sent to DEA after which a DEA expert must come to American Samoa to testify at the trial as to the identity of the suspected marihuana sample. American Samoa has no DEA funding for an eradication program.

Puerto Rico. Puerto Rico reports that there are some small plots of locally grown marihuana there. This marihuana is believed to be for domestic use only and is not of great concern to Puerto Rico. Puerto Rico's main concern is the large amounts of marihuana and other drugs illegally imported into the territory from South and Central American countries in the Caribbean area. In 1982, Puerto Rico and the U.S. Virgin Islands received $12,500 from DEA for the eradication of marihuana in these areas. In 1983, there was no allocation made for either of these areas.

Virgin Islands. Seizures in the Virgin Islands have been relatively few in number, however a three acre plot was seized on St. Croix in August 1983. This plot yielded over 24,000 pounds of marihuana. Due to a lack of training, it is not known what proportion of this marihuana was sinsemilla. In 1982, Puerto Rico and the U.S. Virgin Islands shared a $12,500 allocation by DEA for marihuana eradication.

States With Apparent Significant Cultivation but Little or No Supporting Statistics

Maine	Rhode Island
Michigan	Vermont
New York	Wisconsin

Maine. In Maine, the extent of marihuana cultivation is not certain. Marihuana cases are dealt with only at the local level, and there is no location within the State which has access to all of this kind of information. A statistical reporting system which will give accurate figures on marihuana cases has only recently been put into operation. Some cases of marihuana cultivation have come to the attention of State Law Enforcement Authorities, and it is suspected that this cultivation is on the increase. Any eradication efforts taking place in Maine have not been funded by DEA.

Michigan. Michigan has observed a significant amount of cultivation, although no centralized reporting system exists as yet for marihuana related incidents. Michigan realizes the need for such a system due to the perceived increase in cultivation of both regular marihuana and sinsemilla in the State, and at this time the authorities in Michigan are researching the development of such a system for future use. Michigan would like to work with DEA to assess the magnitude of the marihuana cultivation problem in the State. DEA has allocated no funds for marihuana eradication in Michigan to date.

New York. The New York State Police official who responded to the survey indicated that there is no authoritative data on the amount of marihuana grown in the State. The unevaluated NORML estimate of a $200,000,000 marihuana crop by 1983 was passed on to the committee.[5] The New York State Police indicate

[5] The plausibility of NORML's crop value estimates may be assessed by comparing their New York and Oregon crop values. NORML asserts that Oregon's high quality (largely sinsemilla)

Continued

that it is difficult to estimate the extent of marihuana cultivation in the State because of the ability of marihuana to grow "almost anywhere in the State." Due to a lack of data on their part, State police authorities can neither confirm nor refute this NORML estimate. The marihuana seized in New York "does not seem to be the sinsemilla variety, but rather of a quality inferior to Jamaican, Colombian, and Mexican varieties in THC content." New York received no DEA funding for the eradication of cultivated marihuana in 1982 or 1983.

Rhode Island. From the information received from Rhode Island, it seems that there is some cultivation of marihuana in the State, but this amount is not clear. No mention of sinsemilla is made. It seems that the majority of the marihuana is grown on "farm operations." From the quality of the data received, it is not clear how much or what percentage of the marihuana in the State was eradicated. More equipment in the form of aircraft for an aerial surveillance program is needed in Rhode Island. Also, there is a need for additional personnel to devote to marihuana eradication in 1982 or 1983.

Vermont. Vermont is unusual in that it is the only State on the East Coast north of Virginia to report a significant problem with the cultivation of sinsemilla. The growing of marihuana in Vermont is said to be "very common" and sinsemilla is "the prime type of marihuana cultivated." as was the case in Maine, no centralized reporting system exists in Vermont. All of the marihuana cases are handled at the local level. DEA has allocated no funds for the eradication of marihuana in Vermont.

Wisconsin. The situation in Wisconsin is also unusual in that it seemingly has only a moderate problem with marihuana cultivation. However, in 1982 a very large seizure; a 60 acre plot yielding 60,000 pounds of high grade sinsemilla was made. Although the amounts of seized marihuana have been increasing each year, Wisconsin is not certain as to the extent of illicit cultivation in the State. The cultivation in Wisconsin might actually be quite large due to the State's many remote areas with favorable growing conditions. Up to this time no aerial surveillance efforts have taken place in Wisconsin. Wisconsin utilizes its available funds for the removal of "hard drugs" from the Wisconsin market. Wisconsin lacks sufficient funds to provide a tipster program or aerial surveillance for the detection of marihuana fields. An eradication program in Wisconsin was not initiated until 1983 when Wisconsin received $15,000 from DEA for a marihuana eradication program.

States With an Unknown Degree of Marihuana Cultivation

Illinois Montana Wyoming

Illinois. Illinois can give no account of the extent of the marihuana cultivation in the State due to the fact that at this time no statistics have been kept. Illinois is beginning to implement a program whereby the Illinois State police are being trained to spot

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crop is 2½ times as valuable as New York's low quality crop. When one considers that sinsemilla has twice the value of ordinary marihuana, and that Oregon has so much more available land for cultivation, the estimated 2½:1 cash value ratio stretches the credibility of the NORML estimates.

marihuana growth from the air. It is implied that an estimate of the extent of cultivation will be forthcoming. DEA allocated $36,000 to Illinois in combination with Kansas and Missouri in 1982. In 1983, Illinois was separately allocated $14,000 by DEA.

Montana. Montana does not know whether or not it currently has a serious problem with marihuana cultivation. The Montana criminal investigation bureau is currently involved in a cooperative effort with the U.S. Attorney's office, the FBI, DEA, the U.S. Forest Service, and Montana county sheriffs to evaluate the extent of marihuana cultivation in the State. Montana encompasses thousands of miles of sparsely populated, densely forested land with a climate and watershed suitable for sinsemilla plant growth. It is the opinion of the Committee that due to the proximity of Montana to such large producing States as Idaho and Washington, and to its favorable climatic conditions, Montana may find extensive marihuana cultivation efforts taking place within its jurisdiction. Montana indicates the need of Federal funding to continue its evaluation and initiate eradication if necessary. In 1982 Montana received no funding from DEA for marihuana eradication. In 1983 Montana received $440 from DEA.

Wyoming. Wyoming has not observed much of a problem with marihuana cultivation. There has been one 4 to 5 acre plot found within the last 3 to 4 years. It is suspected that there might be some large scale operations in greenhouses, but it is thought that the unfavorable weather conditions and short growing season would discourage large scale cultivation efforts. It is admitted that more of a problem could easily exist in Wyoming than is presently suspected. The State requests aid from the Federal Government in the form of training on how to identify marihuana cultivation, and information as to whether or not the climate of Wyoming is conducive to the growing of marihuana. Wyoming received no funds from DEA for marihuana eradication in 1982 or 1983.

States Reporting No Significant Problem With Marihuana Cultivation

Delaware
Maryland
Nevada
New Hampshire
New Jersey
North Dakota
Pennsylvania

Delaware. Delaware does not believe that cultivation of illicit marihuana is a significant problem. The only marihuana encountered in Delaware has been a low grade domestic variety. There was a small amount of sinsemilla seized in Delaware, but is not thought to be a significant problem. The possibility that this assessment may be in error was indicated however. DEA has allocated $10,000 in 1983 for Delaware to initiate an aerial surveillance program and for the training of selected drug unit members in the detection of growing plants. Delaware received no funding from DEA in 1982.

Maryland. Illicit marihuana cultivation is "minimal" in the State of Maryland. All incidents of cultivated marihuana have been small and of poor quality. Generally, when marihuana is found it is in a wooded area or in a crop of corn. Small amounts of

sinsemilla have been found in greenhouses throughout the State. In 1982, Maryland received $15,000 from DEA for marihuana eradication. That year, 502 plants were seized consisting of an estimated 15 to 20 percent of the crop in Maryland. Maryland was allocated $17,000 in 1983.

Nevada. There is no significant cultivation or growth of marihuana in the State of Nevada. Arrests in Nevada include a couple of greenhouse operations. However, Nevada is a prime target for frequent airplane drops of imported illegal drugs from countries to the south due to its large expanses of sparsely populated land. Nevada received no DEA funding for marihuana eradication in 1982 or 1983.

New Hampshire. Little evidence exists of large scale cultivation of marihuana in New Hampshire. Some isolated cases exist in which plants have been found in fields, but these cases are unusual. Most cultivation is indoor small scale cultivation of one to 50 plants. New Hampshire received no funding from DEA in 1982 or 1983 for marihuana eradication.

New Jersey. New Jersey reports few incidents of marihuana cultivation. In the few cases dealt with, the quality of the crop was poor, and did not approach the level of sinsemilla. In 1982 and 1983, New Jersey received no funding from DEA for marihuana eradication.

North Dakota. North Dakota does not have a "recognizable problem" with illicit cultivation of marihuana. It is believed that the poor growing conditions and undesirable topography for undetected cultivation make growing operations difficult. Less than one percent of the seizures of marihuana during the last 5 years have been of the cultivated variety grown in North Dakota, and this one percent has been of a poor quality. The State drug enforcement unit worked with the DEA in developing an eradication program in August of 1983. No funds were allocated by DEA to North Dakota in 1982 or 1983 for marihuana eradication.

Pennsylvania. Pennsylvania estimates that it has one million regular users of marihuana. Despite the widespread use of marihuana, little is reported growing in the State. According to the authorities, the vast majority of the marihuana consumed in Pennsylvania comes from Mexico and Colombia. Pennsylvania received $15,500 from DEA in 1983; no allocations were given previously.

States Not Responding to the Survey

Alaska	Iowa	Oklahoma
Colorado	Louisiana	Texas
Connecticut	Massachusetts	Utah

CONCLUSIONS

Of the areas reporting, no area reported a significant decline in marihuana cultivation within its jurisdiction. Only in California was any sort of leveling off of the problem observed. Indeed, some areas are only now becoming aware of their problems with illicit cultivation, or of the possibility that a problem with large scale cultivation might exist.

The focus of interest for the typical domestic marihuana grower seems to be increasingly oriented toward the production of sinsemilla. This trend in domestic cultivation has brought about such problems as the misuse of, or damage to national and private forest lands, and an increase in the amount of small, elusive, yet highly profitable illicit plots of sinsemilla. Of more concern, it has increased the availability of very powerful sinsemilla in the domestic market, and finally it has brought about violence and the use of weapons associated with illicit cultivation which poses a serious threat to both law enforcement personnel and innocent civilians.

To combat this problem, most areas which recognize a serious problem within their jurisdiction request increased Federal assistance in the form of funding, equipment, or personnel or a combination of these needs.

The detection of marihuana plots in greenhouses or over large areas is quite time consuming. It requires extensive use of aircraft devoted to that purpose, sophisticated camera and navigation equipment, and the use of vehicles for access and disposal of the plants. Personnel are necessary to pilot and drive the equipment, for intelligence gathering and integration, and for the actual eradication of the plots and the disposal of the plants. These aspects of an eradication effort may quickly add up to considerable sums which are frequently too costly for their limited tax bases supporting the eradication efforts on the State or local level.

Finally, it seems that the cultivation of marihuana, particularly sinsemilla, is increasing in frequency nationwide due to its high profit potential, and the relative ease in which a grower is able to elude authorities. Not only is the valuable crop easily hidden in forests or with other crops, but the laws that are in place in many areas, and the patterns of prosecution tend to reflect a tolerance of or the inability to effectively prosecute domestic marihuana growers. These growers therefore frequently go unpunished or may receive a minimal sentence and/or fine which is an inadequate deterrent for both these individual and the future growers waiting in the wings. Because of the problems on the State and local levels with eradication and prosecution, and the increasing market for domestic marihuana, the growing of high quality marihuana is likely to increase in the United States.

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Information coming to the attention of the Select Committee on Narcotics Abuse and Control indicates that the illicit cultivation of high-grade marihuana in the United States continues to increase. It is now estimated to amount to at least 10 percent of the total marihuana trafficked and used in the United States each year.

We plan to hold hearings to evaluate this situation and to ensure appropriate Federal, State and local programs are being cooperatively developed to eradicate this cultivation.

As you know, the Federal Government has a statutory responsibility to eradicate marihuana cultivation. Under our Federal system of government this responsibility for all practical purposes

has been delegated to the States and local police authorities for implementation under their laws which parallel the Federal statutes. Traditionally, this cultivation has been such that the State and local authorities could eradicate it with little difficulty.

This is not now the case and we wish to assure ourselves that all levels of our Federal, State, and local systems are bearing a proper and fair share of this burden. Obviously, we wish to make certain the Federal arm of government is meeting its responsibilities in this area in the way of cooperation, coordination and funding.

An important added consideration to eliminating the availability of marihuana is that should the United States Government fail to implement effective programs to eradicate the illicit cultivation of marihuana in its territory, it would not only fail to comply with the Single Convention on Narcotic Drugs of 1961, but also forfeit the right to diplomatically press countries where opium, coca, and cannabis crops are illicitly produced to eradicate that production.

This letter is requesting from the Attorney General of every State and territory in the United States, an estimate of the situation concerning the cultivation and growth of marihuana in their area. We would be interested in the problems, if any, that have confronted the members of your law enforcement agencies in their efforts to eradicate this illegal activity. In addition, we would also like to know the types of marihuana encountered. We are particularly interested in the seemingly explosive cultivation of sinsemilla plants in many areas. Additional information concerning marketing and violence is also of interest to us.

The compilation of all available material concerning the domestic cultivation of marihuana will be considered at our hearings, which we are planning in several marihuana growing regions of our country to take testimony from the officials on the scene. Our colleagues in Congress will then be able to properly assess the needs that arise in Federal, State, and local attempts to control what is presently developing into an uncontrollable situation.

We are looking forward to working with you and your cooperation in this important work is very much appreciated.

Sincerely,

CHARLES B. RANGEL, *Chairman.*

PART III—SELECT COMMITTEE HEARINGS ON DOMESTIC MARIHUANA CULTIVATION

A. Hearings of July 22-23, 1983

INTRODUCTION

The Select Committee held hearings on July 22 and 23, 1983, in Redding, California, considered a major marihuana growing area in the United States, to determine the extent of cultivation of marihuana in California and to examine the effectiveness of the Federal, State, and local efforts to eradicate domestically grown marihuana much of which is grown on public lands.

With the growing popularity of the sinsemilla strain of marihuana, which, according to some experts surpasses the best Colombian marihuana in quality and potency, law enforcement officials have become concerned about the abundance of this homegrown marihuana.

The Drug Enforcement Administration [DEA], in analyzing the extent and seriousness of the domestic marihuana problem, estimated that in 1982, over one million sinsemilla plants were reported to have been seized. At a street value of $2,000 per plant, with each plant yielding about 2 pounds of marketable marihuana, the domestically cultivated sinsemilla can yield anywhere from $2 to $4 billion.

In addition to this sinsemilla boom, regular domestic marihuana brings in another $12 billion, valued at $400 per pound. These figures represent only the quantities which have been seized, with billions of dollars in unreported marihuana grown, sold and consumed by millions of Americans.

While the estimated tonnage and costs of illegal domestic marihuana are staggering, the dangers associated with illicit domestic marihuana cultivation are very real. Domestic cultivation is considered big business, totalling around 25,000 tons worth $52 billion—a figure that is about three times the total net farm income of this nation during 1983. The lucrative nature of this illicit business has necessitated cultivators to protect their crops at all costs, constructing elaborate system of plots, protective devices and harvesting networks to ensure that their cash crop get to the marketplace uninterrupted. Much of the illicit cultivation of marihuana is conducted on public lands, resulting in serious dilemmas for local, State, and Federal law enforcement officials as well as for Americans desiring to use the land for recreational purposes.

Testimony delivered at the two-day hearing in July 1983 revealed that the western States have attempted to deal with this problem in the best way possible, depending upon local resources and manpower for the bulk of any eradication and interdiction program. However, in many cases, fighting the elaborate marihuana cultiva-

tion problem is a difficult task which could be made easier with additional Federal assistance, and with the coordination of resources which are currently available to local law enforcement personnel. One of the primary concerns of the Select Committee on Narcotics Abuse and Control in holding these hearings was to raise the public awareness about the seriousness of the domestic cultivation problem, and to suggest ways to successfully bring together available resources to bring an end to this billion dollar illegal industry.

The domestic marihuana industry is not only a Western United States problem, although the Western States of Hawaii, California, Oregon and Idaho produce a majority of the marihuana grown in this Nation. The Select Committee stressed the national significance of the domestic marihuana industry, and solicited testimony from officials of California, Oregon, Idaho and Arizona, as well as from Federal officials of the Drug Enforcement Administration, the Bureau of Land Management and the U.S. Forest Service.

In scheduling the hearings on the domestic cultivation of marihuana, the Committee was attempting to ascertain the proper role for Federal officials in the domestic marihuana issue. Chairman Rangel posed the question at the opening of the hearing "* * * who is responsible for eradicating the marihuana planting and who is responsible for apprehending growers?" The cultivation of marihuana on Federal lands, where agencies with custodial responsibilities are not accustomed to drug enforcement, necessitates Federal involvement. Yet the Drug Enforcement Administration has not been able to determine the precise extent of cultivation, nor on the size and extent of the domestic marihuana crop. Estimates, speculation and guesswork have had to suffice for accurate data on the domestic marihuana crop, which ranged anywhere from 7 to 20 percent of the marihuana consumed in the United States.

Witnesses testified that the size of the marihuana plots vary from a small plot harboring a few plants, to a larger area of 150–300 plants, depending upon the spacing between the plants.

Chairman Rangel observed that foreign governments could not be expected to reduce their cultivation of marihuana, opium or coca if the United States did not commit resources and efforts to the eradication of domestically grown marihuana. Congressman Rangel stated that:

> Marihuana production in this country also has an important bearing on our diplomatic initiatives to get the foreign countries to eradicate their illegal drug crops, including the raw materials of heroin and cocaine, as well as marihuana.
>
> We cannot demand strong action by these countries if we fail ourselves to act effectively against marihuana cultivation on our own soil.

After the first day of hearings, several members of the Committee helicoptered to the rugged, isolated terrain of Lake County, California, to see at first hand the seizure and removal of 600 marihuana plants. The harvested plants were airlifted to the airport in Lakeport for analysis. The Committee also examined the sophisticated irrigation equipment drug cultivators use to water the mari-

huana plants. The on-site visit allowed the Members to see the extent of the cultivation system in Northern California.

SUMMARY OF TESTIMONY—JULY 22, 1983

Members of the Select Committee met at 9 a.m. at the Redding Municipal Airport in Redding, California, to take testimony from the witnesses who would address the extent and seriousness of the domestic cultivation of marihuana in California.

Chairman Charles Rangel presided over the hearing and was joined by Congressman Gene Chappie and Congressman Duncan Hunter. Although not a member of the Select Committee, Congressman Jerry Lewis from San Bernardino, California, actively participated in the Committee's hearings. Congressman Rangel stated that:

> The committee has come to Northern California for this inquiry because this region, more than any other, has felt the impact of relatively large-scale cultivation of the potent sinsemilla variety of marihuana on both public and private lands.

Congressman Chappie said that "Ignoring the problem would violate many commitments we have made to the public," and Congressman Hunter expressed his concern "about the drug flow to the north along the border (of the California/Mexican border) * * * A great deal of the marihuana that is consumed in southern California is, in fact, grown domestically.

The first panel of witnesses consisted of Ron Hoffman, from the Bureau of Land Management (Department of the Interior), Dave Howard, Bureau of Land Management, Zane Smith, U.S. Forest Service, and Ed Hastey, State Director of the Bureau of Land Management who provided background for the Committee about the rapid growth of the marihuana industry.

The Bureau of Land Management (BLM) has tried to combat the illegal cultivation of marihuana on public lands but has confronted some difficulties in these efforts. In California, the Bureau of Land Management manages 16.5 million acres, much of which is under 6,000 feet elevation and suitable for marihuana cultivation. Since almost 50 percent of California land is either managed by the BLM, or falls under the auspices of the U.S. Forest Service (20 million acres), the Bureau of Land Management witness. Hoffman, expressed his desire to concentrate on the issue of public land marihuana cultivation. It is estimated that 40–50 percent of the marihuana grown in California is grown on public lands, and the cultivation of illicit marihuana affects every county in California. Another estimate is more modest. "A recent inventory report put together by the State of California, the Western States Information Network, showed about 28 percent of the marihuana plantations found in California were on public lands," reported Ed Hastey.

Ron Hoffman told the Committee that the ramifications of cultivating marihuana on public lands were severe, often resulting in bodily harm to law enforcement officials, campers, hikers, and innocent people who stumble onto the cultivation sites. Illicit cultivation also creates environmental problems, since rodents feed on the

marihuana plants, are then poisoned by the growers and then enter the food chain, causing greater harm to larger animals. Deer which are discovered nibbling the marihuana plants are killed by the growers. Another negative environmental effect is the runoff of the nitrogen-based fertilizers into water systems, disturbing the life there, and sometimes polluting drinking water.

The human danger is also very real. Rangers and recreationists who come upon marihuana plots are putting themselves into harm's way. Dave Howard of the Bureau of Land Management expressed the fear that many in the Bureau and the Forest Service have expressed about stumbling uninvited onto growers' territory:

> * * * we knew the growers often had wild dogs * * * We felt as though we * * * could run into booby traps, a kind of punji-stick type of thing with a cardboard box over it and you step on it and get things going through the bottom of your feet.
>
> Also, growers do have a lot of weapons. I might make a comment that the growers usually put these types of operations up, booby-traps, to keep people from stealing their crops, not necessarily put up to guard against law enforcement agencies. They are more interested in keeping somebody from stealing their marihuana.

The irrigation systems used by marihuana growers are sophisticated and well-organized. According to the Bureau of Land Management findings after conducting a two-day operation in the King Range, growers used Doughboy pools as water reservoirs, leading lines from the pools into springs. The water is collected in the pool, mixed with fertilizers, and often the flow of the water/fertilizer mixture is controlled by timers and valves so that the growers can leave the area for several days knowing that the plants will be watered automatically. Other cultivation paraphernalia include mousetraps, rattraps and DECON to kill rodents who feast on the marihuana plants.

During a seizure and eradication operation in the King Range National Conservation Area, a range of 50,000 acres, Federal and State officials utilized their expertise in tracking down and destroying the illicitly cultivated marihuana. The King Range was chosen because two specific sites were large and fairly accessible. In this area, the altitude gains 4,000 feet, making a 45 degree angle between sea level and a mile inward. Officials from the Bureau of Land Management, the Bureau of Narcotics Enforcement, and Humboldt County hiked several miles from a cleared area used as a base camp, and cut the plants down, bundling them to facilitate counting. The plants were then loaded into a large net, and with the assistance of a U.S. Customs Service helicopter, they were hauled away. After inventorying the seizure, the plants were destroyed by burning. The Bureau of Land Management and the Bureau of Narcotics Enforcement work also to prevent the cultivators from tending their plants by removing the pools, water pipes and other equipment" * * * if we went in and removed it all, they (the cultivators) might think again," said Ron Hoffman.

Representative Duncan Hunter questioned the efficiency of cutting down the marihuana plants, bundling it, using manpower and

helicopter fuel to carry the destroyed marihuana away. "Couldn't you cover a lot more ground if you simply destroyed it on site instead of bringing it back?" Hunter asked.

Bureau of Land Management representative Hoffman stated that burning the plants as they were discovered might result in forest fires. The placement of lime on the marihuana plants, after cutting them down and burying them in ditches is also ineffective since the cultivators dig up the plants, wash off the lime and prepare the marihuana for sale. Equipment such as sophisticated tree trimmers are virtually impossible to transport to the isolated and treacherous growing sites.

In addition to the marihuana plants, some opium poppies were also discovered in the cultivating areas. Mr. Ed Hastey, the State Director of the Bureau of Land Management, explained to the Committee that the recent discovery of opium poppies has not been "a serious problem in the past." Cultivation of the opium poppy, which has been discovered on a few other occasions, is considered incidental to the main business of marihuana cultivation. However, it is a problem that Federal, State and local officials should monitor closely.

In discussing the operation at King Range, Representative Hunter sought clarification from the Bureau of Land Management regarding the extent of the operation and the breadth of the cultivation of marihuana in the King Range. Mr. Howard of the Bureau estimated that there were approximately 25 sites on the range, 18 of which had been spotted and identified by the Bureau of Land Management and Bureau of Narcotics Enforcement officials who flew over the range during a two-hour period. Two sites were later selected and the marihuana grown on them destroyed.

The Bureau of Land Management likened the marihuana operation to a military mission requiring precision and sound data before the crop could be destroyed. With additional resources and with the proper manpower, all of the sites in the range could be destroyed, according to Dave Howard. Representative Hunter asked if assistance from the National Guard and military reserves would be helpful in the eradication program. According to Bureau of Land Management representatives, military assistance would be welcome since military personnel are trained for certain technical aspects of the eradication program, such as helicopter skills and familiarity with rough terrain. Assistance from military personnel would also alleviate the burden now placed on enforcement officials to hike long distances from the camp to the eradication site, since available military personnel are well trained to rappel from helicopters to the ground.

The two day operation cost the Bureau of Land Management $7,000, not including the manpower costs incurred by Humboldt County or the loan of the Bureau of Narcotics Enforcement helicopter. The coordinated approach to the problem of eradication was proposed as the most effective and efficient solution to the growing problem of illicit marihuana cultivation.

Ed Hastey, State Director of the Bureau of Land Management, told the Committee that an organization named CAMP, Campaign Against Marihuana Planting, has made an effort to coordinate the agencies involved in drug enforcement efforts. "* * * DEA, BLM,

Forest Service, U.S. Marshal Service, the California Bureau of Narcotics Enforcement, Office of Emergency Services, California Division of Forestry, the California Highway Patrol and mainly the County Sheriffs."

"It was very obvious that the only way we could attack this problem was through a coordinated effort pooling dollars, equipment and personnel, and that is a thrust for this season * * * to use a coordinated approach where we each complement both manpower and dollars and equipment to maximize the State and county and Federal dollar," testified Hastey.

Representative Lewis asked the witnesses what specific recommendations could be made to the Congressional Committees in an effort to secure the proper funding and resources necessary for a successful eradication program. Hastey suggested that the various component agencies—Bureau of Land Management, U.S. Forest Service and drug enforcement agencies—could all be pulled together into a coordinated effort.

Representative Chappie indicated that with a decrease in available resources, particularly in California due to the adoption of Proposition 13, it may be necessary for the Federal Government to "re-enforce local law enforcement" efforts in the eradication program. The situation in California is made more complex by the fact that a large portion of the domestically cultivated marihuana is grown on Federal lands.

Hastey then explained why California is such a prime marihuana growing location. "* * * because of the excellent growing conditions and * * * public lands are perfect because they are often remote and land ownership can't be traced to individuals, only traced to the BLM."

The State's BLM representative stated that four major categories have been developed to help officials deal with the narcotics problem in California.

> We have developed four major categories * * * one is detection: and that is both an aerial and also from informants * * * second is to emphasize public and user safety through brochures and training * * * third is employee safety * * * fourth is law enforcement. That is prevention by patrol and actual eradication.

When questioned by Chairman Rangel about who was in charge of the eradication effort, Ed Hastey said that the Bureau of Narcotics Enforcement "are the people that have taken the lead in there * * * although we are looking to the counties, sheriffs in the various counties will take the actual lead in the raids themselves."

Chairman Rangel re-enforced the need for a national approach to the problem of marihuana cultivation. "* * * We do believe it is our responsibility to have a national presence * * * we can no longer look at this as a local problem, nor can we look at public lands and Federal park areas as being a local problem."

Zane Smith, Regional Forester for the Forest Service Pacific Southwest Region, testified that the United States Forest Service's situation was similar to the situation faced by the Bureau of Land Management, but that the Forest Service jurisdiction of 20 million acres may be "more favorable for marihuana production," than the

Bureau of Land Management lands. Smith stated that "all 18 National Forests have marihuana plantations or have observed marihuana plantations."

The Forest Service representative also expressed his concern about the use of pesticides and fertilizers on the environment, and expanded upon the extent of the cannabis operations in California.

> In 1981 and 1982, we estimate that there were several hundred cannabis operations on the national forests in California. Some forests had in excess of 50 operations. So far this year, 1983, our preliminary estimate suggests there are at least 900 sites involving as many as 215,000 plants. That is within California's national forests. We suspect and believe that this is only a portion of what actually exists.

Smith also related some of the physical dangers facing the Forest Service personnel on National Forest land.

> Let me give you a few examples of the incidents occurring this year on the national forests.
>
> A timber purchaser was run off at gunpoint on the Plumas National Forest and, Mr. Chappie, you are familiar with that. A gun was pulled on one of our people in the San Bernardino National Forest . . . Fishhooks and punji sticks observed was one of those on the Tahoe.
>
> A district ranger and two wildlife biologists were shot at on Tahoe, missed, fortunately. Another district ranger was threatened to be shot or burned out.
>
> * * * We now believe that we have half a million acres of national forest land in this State that is virtually unavailable to us to work in. Our people, we are just keeping them out of there until it can be cleaned up.

He went on to describe the activities of the Forest Service designed to address the dangers facing visitors and Forest Service personnel.

> * * * we are now concentrating on, one, safeguarding our personnel through training and orientation; alerting and informing forest visitors about the problem; cooperation with and support of the appropriate law enforcement agencies; participation in the Statewide Interagency Task Force CAMP * * * whose main purpose is to consolidate and coordinate the available resources to effect a maximum effort. * * * All these Forest Service efforts * * * are in direct support of President Reagan's illegal drug prevention strategies.

Chairman Rangel asked Zane Smith of the Forest Service to elaborate on the law enforcement personnel involved in the Forest Service operations. Smith told the Committee that "* * * I believe it is 28 special agents that have been through complete law enforcement training. These are people who are authorized to carry weapons, highly trained professionals."

The Bureau of Land Management has special law enforcement officers to deal with illicit narcotics cultivation. Ed Hastey reported

that "We have five special law enforcement agents in the State of California, and we have about 18, what we call Law Enforcement Rangers, who are restricted only to the California desert * * *"

Mr. Smith reported to the Committee that the U.S. Forest Service has earmarked "about a third of a million dollars in fiscal year, 1983 . . . and we will continue in excess of 2,000 days of law enforcement personnel time toward an effort to eradicate cannabis. "The U.S. Forest Service provides back-up services during on-the-ground activities under the leadership of the local sheriffs. The DEA, the U.S. Marshal's service and the FBI are the principal Federal enforcement agencies in the case of marihuana grown on national forests. The California bureau of Narcotics Enforcement and county sheriffs are the lead agencies for drug enforcement in California; the U.S. Forest Service has authority to enforce laws and regulations governing the use of national forest land, but does not have specific authority for drug enforcement.

Smith said that during fiscal year 1983, slightly more than a million dollars was granted for drug enforcement in the California region "a large part of which is being devoted to marihuana."

Mrs. Anna Sparks, Supervisor of the Fifth District of Humboldt County testified next. She stated that one of her major concerns was the violation of rights "both personal and private, that are being threatened due to the cultivation of marihuana." Physical harm is threatened to anyone who crosses paths with the violent cannabis cultivators.

She further stated:

> Numerous incidents of these rights violations are reported yearly to our sheriff's department during the marihuana growing and harvesting seasons. Some of these reports are from cattle ranchers whose families' have been threatened and property destroyed by marihuana cultivators.
>
> Many of the cultivators have grown their crops on the ranchers' personal land and have ordered the rancher at gunpoint to leave that portion of their property alone.
>
> Numerous anonymous letters and phone calls are received daily by the sheriff's department. Their anonymity, the result of fear of retaliation.

Public property rights are violated when hikers, campers, hunters and fishermen attempt to use woods and streams claimed by the cultivators. Timber businesses, ranchers, utility companies and surveyors are also the targets of angry growers. Outlaw marihuana cultivators are becoming cult heroes to schoolchildren who are attracted by the enormous profits to be gained from illicit cultivation.

Mrs. Sparks pointed out that judges are hard pressed to mete out the proper punishment to domestic cultivators since judges "can only work within the framework of laws set down by the legislators." Stronger penalties for violent crimes committed by marihuana cultivators was urged.

The influx of criminals and others who have no regard for the law make Humboldt County a dangerous place to live. Hells Angels and 'banditos' bring fear to many residents, Mrs. Sparks said. Mexican workers, desperate for employment are often innocent

dupes of the criminals associated with marihuana cultivation. Many are lured to California because of big profits, but many are later killed, having been regarded as dispensable "cheap labor."

The sheriff of Butte County, California, Mr. Hal Brooks testified that Butte County was "second in the State of California in total seizures in 1981 and 1982. In 1981, 11,000 plants were confiscated, and in 1982, 8,000 plants were confiscated."

Brooks pointed to the definite link between marihuana cultivation and serious crimes. "Of the 79 suspects identified as being marihuana growers in Butte County, 20 were found to have * * * a previous police record of some type, either by arrest or as a suspect."

Butte County is not unique in that law enforcement funds have been cut, reflecting difficult economic times, and the reduction in funding, particularly in California, makes it extremely difficult to combat marihuana cultivation as a top priority.

Sheriff Brooks stated:

> It is my position that confiscation alone is a Band-aid approach and ultimately contributes to a much larger problem of unbridled competition, theft and in some cases, all-out war between growers, abusers and traffickers of marihuana and other drugs. . . . The information also shows the interrelation between marihuana trafficking, abuse, and cultivation of other drugs such as heroin, cocaine, hallucinogenics, hypnotics and other drugs.

Murder and other criminal activity are very real elements of marihuana cultivation in Butte County. According to Sheriff Brooks, between six and eight unsolved marihuana-related murders have occurred. He summarized for the Committee some of the dangers associated with the cultivation of marihuana:

> 1. Threats to shoot and shots fired at low-flying aircraft.
> 2. Removing rattles from rattlesnakes and placing the snakes in marihuana patches to protect the fields.
> 3. Prepare to set and set fires within the National Forest Service lands.
> 4. Telephone threats against officers participating in raids.
> 5. Confiscation of camouflaged clothing, assault-type shotguns, rifles, ammunition and military-type pistols.
> 6. Punji-sticks around the perimeter of the marihuana fruit.
> 7. The U.S. Forest Service truck window shot out while occupied . . . the strike force was using vehicles similar in color to those of the Forest Service and whether they were shooting at the Forest Service or, at our marihuana or our narcotics officers is unclear. But it really doesn't matter, does it?

After questioning from Chairman Rangel about the sufficiency of resources in Butte County to combat the marihuana cultivation problem, Sheriff Brooks indicated that the co-operation among law enforcement personnel in surrounding counties and in different government agencies helps to accomplish the job. However, the end

result of the eradication effort has not been an increase in convictions for marihuana cultivators. Sheriff Brooks indicated that he would like to see an increase in the severity of penalties imposed for crimes related to the domestic cultivation of marihuana. Technicalities in the law, the high costs of prosecution and the generally low amount of resources allocated for the eradication of marihuana result in few, if any, real prosecution and convictions for domestic marihuana cultivation.

Congressman Hunter agreed with the Sheriff regarding the need for stiffer sentences and more stringent prosecution, but suggested that as long as law enforcement officials have located and identified marihuana cultivation plots—18 were identified during the hearing—it would be more cost effective and efficient from a resource standpoint to eradicate the marihuana at its source. "* * * It is a lot cheaper to come along and chop those plants down and chop out one of those fields that can provide the fodder for thousands of busts," said Representative Hunter. He added: "I think that it is intolerable to have right now 16 fields out in a given area which have got exact coordinates and they are growing."

Sheriff Brooks agreed that this suggested approach was ideal, but indicated that with the reality of limited resources, local law enforcement officials were having difficulty in eliminating all the known marihuana sites. When questioned about the extent of the marihuana-related arrests and convictions, Sheriff Brooks stated:

> In 1980 we conducted nine separate marihuana raids within Butte County with a total seizure of approximately 15,000 plants. There were 12 people arrested, one was convicted of a felony, and the remaining 11 were convicted and plead out in courts to misdemeanors.
>
> In 1981, 87 marihuana fields were raided in Butte County, resulting in 11,190 high-grade sinsemilla plants seized. Seventy-nine suspects were identified as being marihuana growers in Butte County, of which approximately 25 were arrested and proceeded to go through the court system in Butte County.
>
> Due to a ruling by the Superior Court, a Superior Court Judge in Butte County, all 25 subjects who were arrested for cultivation of marihuana were dealt off as misdemeanor possession or misdemeanor cultivation of marihuana. And I am not criticizing the court in the area. It was a case where aircraft was used. There were some legal questions involved.
>
> * * * Let me continue with our 1982 statistics. We had 64 separate marihuana gardens raided in 1982 with a seizure of about 8,000 plants. There were no arrests made in 1982 during the marihuana raids, the reason being that the Butte County Sheriff's office at that time had just suffered severe cutbacks in personnel and that amounted to 22 deputy sheriffs out of that department, and we had no resources to conduct stakeouts and no allotted manpower needed to make the necessary arrests. It was as simple as that.

After hearing the relatively small number of arrests and convictions in Butte County as a result of marihuana-related offenses, Chairman Rangel stated that he had the "clear impression that the risk that the marihuana farmers take in this town is that their equipment may be confiscated * * * and their products destroyed * * * The chances of going to jail are nil?"

Sheriff Brooks assured the Select Committee that his Department has changed their policy to improve the arrest and prosecution ratio, and that Butte County "will have arrests and prosecutions in every instance where it's possible."

Mrs. Sparks, Humboldt County Supervisor, stated that "A lot of people are still under the misconception that the neighborhood boy is growing some marihuana in the back yard; the public is not aware that it has gone to this magnitude and that there is a full blown war out there. * * *" She indicated that the lack of public awareness about the violent crimes associated with the marihuana industry is "one of the reasons that there is not a more definite push behind larger sentences, stiffer sentences, larger penalties." Increased public awareness would result in higher State and local priorities placed on eradication and prosecution, Sparks said. The last seven homicides in Humboldt County were marihuana-related and prosecution costs the county "almost $1 million in court costs, sheriffs and investigation fees," Sparks reported.

Chairman Rangel stated that he would direct Committee staff to "send a questionnaire to the sheriffs of the various counties in the State of California to indicate their ideas, the size of the problem, and the cost of investigations and prosecutions, and to determine whether or not people are not being arrested and prosecuted because of limitations of funds." The questionnaires were distributed and the respondents provided their answers (See B. Survey of Sheriffs).

Representative Chappie told the witnesses that it is "evident that we are going to have to direct our attention to the amount of resources that the Federal Government is putting in to find the solution to the (marihuana) problem * * *. When you consider that 50 or 60 percent of the lands in this State are public ownership, public trust, the cost to the counties is monumental."

Congressman Hunter asked Sheriff Brooks if increased Federal assistance to local law enforcement efforts would enable the local officials to be more effective in seizing the marihuana contraband. The sheriff indicated that the cultivators can become very sophisticated in concealing their crops. "* * * they play the game of law enforcement, they become very sophisticated. They plant in smaller patches, they intersperse with the forest products within the forest area to hide their crops. They use greenhouses, they use camouflage nets, they will find some way. They are not going to stop."

Congressman Hunter said that while he appreciated the observation that the growers were sophisticated individuals who were able to adapt their cultivation methods to avoid detection, he did not understand why Federal and local law enforcement agencies were not taking a more active role in the eradication effort. "* * * there are a lot of marihuana plots right now that are located, that are basically growing without Federal interdiction or without government interdiction and it doesn't seem reasonable to

allow 16 or 18 lots to be out there when you have got the exact coordinates and let it grow under the philosophy that if we eradicate it, they will just become more stealthy."

Apparently marihuana cultivators believe that the risk of getting caught was worth the price of marihuana. Mrs. Sparks stated: "* * * on the last bust we had, it was 200 plants to the tune of $4 million * * *. And the more people that are planting, the less chance they are going to get you * * *. We have business people, upstanding citizens in the community that are funding the growing and are actually supporting the marihuana industry." According to Mrs. Sparks, lawyers and business people are involved in growing marihuana. "The fact that 'acceptable' citizens are involved in the marihuana cultivation business makes convictions more difficult," she remarked.

Congressman Jerry Lewis asked the witnesses if Federal assistance had ever been requested to deal with the cultivation of marihuana on Federal lands since, in his view, there is a need for multi-level coordination if the marihuana cultivation problem is going to be corrected.

Sheriff Brooks agreed with Representative Lewis that a coordinated approach was the most effective way to address the cultivation problem. "* * * I found a number of different sources where I could get various types of assistance, whether it be intelligence, information, training; whether it be actual funding or loan of equipment, and these sources, some are State and some are Federal. I have money available and equipment available * * *. Through the State Bureau of Narcotics I have some through the Forestry Department. I now have a source through the Western States Intelligence Network.* * *"

Chairman Rangel stated at the end of the hearing that "we have not reached any conclusions, but one thing that is abundantly clear is that we don't have a handle on the resources that are presently available, and whether or not there should be more of a Federal presence or reimbursement or direct funding are questions that we are going to have to wrestle with."

SUMMARY OF TESTIMONY—JULY 23, 1983

The second day of hearings began at 9 a.m. at the Redding Municipal Airport on Saturday, July 23.

Congressman Chappie summarized the previous day's testimony, and stated that despite some initial skepticism about the extent and seriousness of the domestic marihuana cultivation problem, evidence gathered at the hearing suggested that the issue was indeed serious and warranted immediate action. He then recounted the details of the Select Committee's field trip to Lake County to witness the airlifting of seized marihuana plants and to see at firsthand the sophisticated irrigation equipment and other material used on the cultivators to harvest their marihuana plants.

Congressman Lewis commented that a reevaluation of the Federal role in this national problem was necessary and that direct coordination among Federal, State and local officials must be implemented to ensure a successful eradication program.

Testimony was taken from several witnesses from Western States. Jim Jones, the Attorney General of Idaho, told the panel that the marihuana problem in Idaho is growing, with the State becoming a major producer and exporter of marihuana. Two-thirds of the marihuana grown in Idaho is exported. He also observed that when law enforcement efforts against cultivators in other States are successful, cultivators relocate in States such as Idaho.

Idaho began its eradication program in 1981, and with funding from the DEA ($26,000), law enforcement officials were able to seize 12 million plants with a street value of more than $31 million; 1983 seizures have increased tenfold, with Idaho receiving $35,000 in DEA funding, and another $35,000 is expected.

Attorney General Jones suggested that the situation could be greatly improved with increased Federal assistance. "* * * If you take into consideration the fact that about 40 percent of the marihuana seized last year was grown on Federal lands, and about 50 percent or more seized this year will be grown and cultivated on Federal land, the Federal authorities just have not put in their fair share of the effort. * * * The Federal Government simply has got to do a better job," said Jones. The Idaho official blamed a reduction in DEA personnel for some of the difficulties that Idaho was facing in its war on marihuana cultivation. Recently, the DEA reduced the number of agents in Idaho from three to two, and the Spokane (Washington) DEA office which previously covered Idaho reduced its personnel from five to two agents. Jones also stated that the FBI and the DEA have not worked well together in the past, and that the FBI is loathe to provide information and leads to local law enforcement, making it very difficult to work cooperatively. The Attorney General said that Idaho was interested in using the National Guard's aircraft for surveillance and eradication efforts, but due to funding shortages, the State does not have the money to use National Guard aircraft. Federal assistance would be helpful in meeting these demands.

Frank Navarrete, Director of the Arizona Criminal Intelligence Agency, explained that his agency acts in a support posture to enhance the effectiveness of local law enforcement in their efforts to combat crime, and reduce the flow of illegal narcotics.

Arizona, like other Western States, has a large problem with marihuana cultivation, particularly the sinsemilla variety.

Navarrete stated that while there is a great deal of cooperation among local authorities, there needs to be "a more coordinated effort on the part of the law enforcement administrators at the Federal and State levels." This would permit additional resources to be assigned to assist local authorities in enhancing their effectiveness in combatting the illicit activities surrounding the growth and cultivation of marihuana.

Frank Navarrete suggested that marihuana cultivation has become a big business, no longer cultivated for small-scale use. He testified that he believed that organized crime is playing a large role in the marihuana industry, and that international organized crime syndicates are also involved in this business.

Navarrete stated that he supported congressional passage of legislation such as the Criminal Justice Assistance Act which would

provide $170 million in funding to help State and local authorities in implementing successful anticrime programs.

The next witness was Bob Hamilton, Deputy Attorney General of Oregon. He stated that narcotics is Oregon's number one crime problem, the major portion of which is the illicit cultivation of marihuana. The quality of marihuana produced in Oregon is so high that it surpassed Colombian marihuana in quality. The THC content in Oregon-produced marihuana has increased from one to six percent in just a few years and rivals hashish in potency. Oregon growers have begun to grow marihuana indoors to produce high grade marihuana, such as the "90-day wonder" strain, making the problem a year-round rather than a seasonal problem.

Estimates on the value of Oregon's marihuana crop are as high as $500 million, exceeding the State's largest crop, wheat, by $200 million.

Marine and air trafficking have also become major problems for Oregon law enforcement officials.

Hamilton praised the effectiveness of the Western States Information Network (WSIN), which is funded by the Department of Justice. He urged the Congress to continue its support for this program. He also stated that the Federal monetary assistance for Oregon is wholly inadequate. There are between 20,000 and 30,000 commercial marihuana growers in Oregon and there is "one narcotics officer in this area for every 88,000 Oregonians, and one narcotics officer for every 2 million acres, and one narcotics officer for every thousand growers."

Hamilton assessed Oregon's needs and stated that he believed that Oregon could and would establish a Statewide Task Force funded for 2 percent of the marihuana crop value. Lack of resources makes progress in this area very difficult, said Hamilton.

> We need simple things, like we need an airplane, we need a helicopter. We need a couple of Lorans to navigate, to speed up the location of the fields and the court processes, four wheel drive trucks. We need help to dispose of this vast quantity of contraband, we need computers to help with drafting court documents, and keeping track of the fields we need funds on top of State funds we have in the nature of seed money to bring our very, very excellent RICO Statutes to bear on the marihuana cultivator.

Congressman Lewis stated that he was unclear about where the main responsibility for eradication efforts should lie—with the State, the local government, or with the Federal Government. Attorney General Jones states that the States should have the authority for eradication efforts, but that localities should receive a greater "commitment of financial resources through the Drug Enforcement Administration to carry out Federal responsibility, and use the State personnel as sort of the nucleus to coordinate the activities of the Federal authorities in the State and to obtain the assistance and cooperation of the local authorities."

Upon questioning about cooperative efforts among States, particularly California, the panel indicated that in the areas of intelligence sharing, operational planning, and law enforcement, cooperation among States was standard procedure.

The next panel consisted of Drug Enforcement Administration representatives. Thomas Byrne, Chief, Cannabis Investigations Section of the DEA stated that the seriousness of the marihuana cultivation has increased both in quality and in quantity. The cultivation of sinsemilla heralds a new stage of quality production of marihuana, indicating an increased commitment to the marihuana industry by serious cultivators. DEA reports that States and local authorities have destroyed "in excess of two and a half million cannabis plants during the 1982 season."

DEA's role, according to Byrne, has been to "encourage State and local efforts and to contribute training, equipment, funding, investigative and aircraft resources to support" State and local efforts. DEA has made an effort, especially during the last year, to coordinate program development among all relevant agencies. This is being done through regular meetings with White House Special Assistant for Drug Abuse Policy, Carlton Turner, and in consultation with the U.S. Forest Service, the Bureau of Land Management, the Departments of State and Defense, the Bureau of Alcohol, Tobacco and Firearms, and the FBI.

Byrne summarized the elements of the U.S. domestic eradication suppression program.

> Financial assistance to help defray State expenses to eradicate marihuana; training for State and local officials in detection and eradication techniques; and prosecutor seminars to address legal issues, and a public awareness campaign including a film depicting Federal and State efforts in this area for 1983.

DEA's Byrne explained some of the reasons why the eradication program is both time consuming and costly.

> Eradication of marihuana is an extremely labor-intensive effort. Plot sites are often remote and in many States are located in steep, broken terrain. Law enforcement officers must secure the area, arrest growers found there, check for concealed traps, perform a plant count, take photographs and process samples in response to search warrant and evidentiary requirements. * * * The plants reach 12 to 15 feet in height and, in some circumstances, grow in groves as thick as bamboo thatches. The plants must be bundled and tied and then carried to the nearest trail or road and loaded onto trucks. * * * Other equipment, including vehicles and weapons, must be removed from the site. Seized cannabis plants must be trucked to a suitable site for burning * * * As you can see, this represents an extensive use of law enforcement manpower.

Joseph Krueger, also of the DEA, briefly described the role of the Drug Enforcement Administration in its close work with the State of California, through fiscal and personnel assistance.

The Committee then heard from Steve Helsey, Director, California Bureau of Narcotics Enforcement, who reported on the progress that local sheriffs, with the assistance of an LEAA grant and the support from DEA have made in attacking the domestic marihuana problem. Helsey believes that the California program was

highly regarded by other States that sought training and advice from the California experts. With the increasing involvement of the Federal agencies due to the cultivation of marihuana on Federal lands, it became clear that a more coordinated and expansive approach to the problem was necessary. DEA provided a grant to the Bureau, and with the application of a "regional approach" and the utilization of the Reservists, the costs of the raids were significantly reduced. After the initial successes of this new approach, the principal State and Federal agencies came together to plan a more unified way to handle the cultivation issue. Five State, five Federal and fourteen sheriffs departments are involved in the Campaign Against Marihuana Planting (CAMP). Helsey specified that CAMP is designed not to replace the sheriffs' jobs, but to enhance them.

CAMP received $175,000 from DEA, $40,000 from the Bureau of Land Management, and additional funding from the Forest Service. Helsey estimated that the CAMP participants are able to "seize about 50 percent of the crops that they see."

Congressman Lewis expressed concern that the Federal commitment to domestic marihuana cultivation eradication programs was meager in light of the widespread prevalence of the problem, and compared to the astonishing street value of the marihuana plants. He sought assurances from DEA representatives that there was an adequate commitment on DEA's part for eradication efforts. The DEA spokesman said that increased funding (up to $2.4 million in 1983) and increased cooperation with local and State authorities illustrated the scope of DEA's commitment.

Congressman Lewis asked the DEA witnesses to evaluate the significance of the discovery of opium poppies interspersed among some marihuana plants. Thomas Byrne stated that the DEA was aware of the few and isolated instances where poppies were found in this country and that DEA was keeping a close watch on the cultivation of poppies to see if a growing trend had emerged. However, due to the large acreage and small yield characteristic of opium poppy production, Byrne said it was highly doubtful that opium fields could go undetected in our nation.

The next witness called before the Committee was Robert Muir, Manager, Forestry, Southern Pacific Land Company. Mr. Muir said that he was responsible for the management of 600,000 acres of private commercial timberland owned by Southern Pacific located in eleven northern California Counties. Company workers on the average "come across perhaps three to ten sightings a year wherein, during the course of their field work, foresters discover either current marihuana plantations, or evidence of past cultivation on Southern Pacific Land Company lands." Muir indicated that this has been a problem only within the last ten years, and now additional training is becoming necessary for foresters to enable them to safely contend with the marihuana problem. Muir suggested that the Congress enact stiffer penalties for convicted marihuana growers.

He also indicated that there is growing resistance in northern California to the use of herbicides in timberlands. He expressed concern that some individuals who opposed herbicide spraying were possibly concerned about the adverse effect it might have on their crops. "* * * if it were to be commonly known that herbi-

cides such as 2,4D were being used in the North State, it would probably devalue the value of that marihuana product, if not discourage its use entirely."

Thomas H. Crofoot, Deputy Secretary for Law Enforcement Liaison for the Youth and Adult Correctional Agency of the State of California testified that as a former law enforcement officer and a former member of the Board of Supervisors from Mendocino County, he believed that an effective and comprehensive eradication program was necessary to deter young people from becoming involved in marihuana abuse. He said that the marihuana which grows in Mendocino County finds its way onto urban streets, serving as a "fast buck" incentive for criminals. Marihuana is a big business, and cultivators will go to any length to protect their profits.

Raids on the marihuana plots are generally expensive, involving equipment costs, food, overtime and many "hidden collateral costs" which the public does not readily recognize. Marihuana is perceived by many as a "viable agricultural crop" which is good for the local economy, and therefore, it is difficult to convince some individuals that it must be eradicated.

Crofoot told the Select Committee that during a meeting he called in Mendocino County, landowners admitted that they were intimidated by the cultivators' threats and that they had reached an agreement with local sheriffs whereby searches of their property could be made in an effort to speed up investigations.

Kathy Hansen, representing the Shasta Chapter of the American Dressage Society, told the Committee that her research leads her to believe that the dangers and the extent of the marihuana cultivation problem are real and widespread. As a member of the Dressage Society which conducts many trail riding activities, Ms. Hansen stated that horse enthusiasts were being confronted with the illicit marihuana problem in their trail explorations, and that the danger associated with the cultivators must be addressed before innocent people are hurt.

Carla Lowe, Vice President of the National Federation of Parents for Drug Free Youth, expressed her concern about the dangers of marihuana, particularly for high school students. As a parent, Mrs. Lowe stated that medical and behavioral evidence confirms the dangers of marihuana, and she urged that the media publicize the dangers to discourage young people from becoming involved with that drug. She stated: "All kinds of kids from all kinds of homes—yours and mine included—young children, fifth, sixth, seventh graders, are going to have to make decisions about their involvement with drugs, just as they make decisions about whether or not they are going to play Little League, whether they are going to sing in the choir, what subjects they are going to take, who they are going to date. Drugs have become a way of kids' lifestyle in this country, and this is a fact that I believe can be substantiated."

Mrs. Lowe also said that the staggering profits made by marihuana cultivators sends children an ambiguous message about that substance's illegality. "The public then says, well, my goodness, if it is such a big crop and we can't do anything about it, we might as well legalize it, and then we can tax it and then that will help pay off the national debt."

Parents have become more sensitive about the dangers of marihuana over the past several years and have become more active in campaigning against marihuana use by their children.

Congressman Chappie and Congressman Lewis thanked the witnesses for participating in the hearing, and assured the witnesses that their comments and suggestions would be made known to the Congress when they returned to Washington.

FINDINGS

1. It was apparent during the two days of hearings that there is no precise data on the extent of the domestic marihuana problem in the Western States. Estimates on the value of the domestic marihuana crop range anywhere from $12 billion to $52 billion per year. Some experts assess that 15 percent of the marihuana used in this nation is domestically grown. There is also a vast disagreement about the percentage of domestically grown marihuana which is seized each year—some law enforcement officials claim that as much as 50 percent of the marihuana located and identified is seized, while others state it is far less. There is no consensus on the amount of marihuana grown domestically, and the likelihood of obtaining reliable data on the extent of the cultivation is small.

2. Domestic cultivation of marihuana is a big business. While there is no one type of person involved in the cultivation of marihuana, and while there is no hard evidence to suggest the direct involvement of traditional organized crime entities in the cultivation process, it is well known that growing marihuana on a large scale is profitable and relatively easy to do. With each plant worth $1,200 to $4,000, cultivators can reap huge profits from marihuana cultivation.

3. Marihuana cultivation is generally worth the risk of being caught. The profits from marihuana cultivation are so lucrative, that when balanced against the chances of being caught by law enforcement officials, cultivators have an easy choice to make. It appears that the worst that happens to the cultivators is the seizure of equipment and the destruction of the marihuana crop. In many instances, the cultivators receive light sentences, and return to their cultivation after they are released from prison, if they ever get there at all. Witness after witness told the Committee that the costs of prosecution, and the budget cutbacks in local law enforcement communities make prosecution an unacceptable added financial burden.

4. The cultivation of high quality marihuana is now an attractive business proposition. The sinsemilla strain, a particularly potent variety of marihuana contains a high content of THC—the major chemical in marihuana that creates the psychotropic "high." Cultivators have also perfected indoor-growing conditions that produce a rapidly grown variety of marihuana called the "90 day wonder."

5. The role of the Federal Government in assisting States and local authorities in combating the marihuana cultivation, particularly cultivation on public lands, is unclear. The primary responsibility for eradication efforts seems to remain with the local law enforcement authorities; yet witnesses urged assistance from the Fed-

eral Government in meeting the challenges of eradicating cultivation on public lands.

6. The marihuana cultivator uses sophisticated irrigation equipment and ensures the quality of the plants by utilizing the latest techniques to grow and tend the marihuana fields.

7. Some States do not yet consider the domestic cultivation of marihuana as a top priority issue that merits immediate attention. This is evidenced by the relatively small budget that State narcotics agencies, task forces and sheriffs have been granted to combat the marihuana cultivation problem. Witnesses indicated that in California, there are so many priorities competing for State funding that an education and awareness campaign must be mounted to inform legislators on the seriousness of the marihuana problem.

8. The Select Committee found that counties and other local jurisdictions are willing to share resources in an effort to eradicate domestically cultivated marihuana since it is considered a Statewide problem that must be addressed on a regional basis.

9. No one seems to have a definite and clear picture of which resources are available to the States and counties in eradicating marihuana. There are Federal and multi-State resources that have not been tapped, and local authorities are concerned that they may be overlooking some innovative and important resources available to them.

10. When law enforcement efforts in one area are successful in discouraging cultivation, the growers often relocate to other areas to begin the cultivation business.

11. The extent of the cultivation of marihuana on public lands is far larger than originally suspected.

12. Real dangers exist to campers, foresters, law enforcement personnel and other recreationists who seek to use the public lands, also used by illicit marihuana cultivators. Threats to life and limb are common, and are taken seriously by those who stumble upon clandestine plots.

13. In some of the western States, cultivators are working with traffickers in other States who buy the marihuana on "consignment."

14. Cultivation seems to be the largest problem in areas where law enforcement resources are the most inadequate. Cultivators have identified the areas of least surveillance and are generally able to remain in business because of inadequate policing and prosecution.

15. There is a definite lack of Federal commitment to the domestic marihuana eradication program. This lack of a Federal commitment has become more apparent during the phase of budget cuts which left much of the eradication responsibility up to the States. Despite the Federal Government's obligation to help the States in their eradication programs, there seems to be little, if any interest and support from Washington. As a signatory to the Single Convention on Narcotic Drugs of 1961, the United States has an internationally binding legal obligation to eradicate narcotic crops within our borders.

In addition to the lack of a Federal commitment, the cooperation among the Federal agencies responsible for eradication efforts is limited and mostly ineffective. Witnesses indicated that in many

instances the Federal agencies did not share information on marihuana cultivation, nor did they seek a cooperative relationship with State and local authorities.

RECOMMENDATIONS

1. The Administration should be mandated to raise the priority of the domestic marihuana problem by providing the Drug Enforcement Administration (DEA) with increased budgets and resources to be successful in the eradication job. The DEA should increase its personnel and assistance to the States and local authorities, signalling a commitment to the eradication of domestically cultivated marihuana. The Select Committee will support increases for DEA's budget and resources so that DEA can carry out its obligation as the primary Federal agency responsible for drug enforcement under the Single Convention on Narcotic Drugs of 1961.

2. State and local authorities, with Federal assistance and support, should maintain the bulk of the responsibility for locating, destroying and analyzing the domestically cultivated marihuana seized and should maintain the responsibility for bringing the criminals to trial. However, State and local agencies should be encouraged to seek and obtain additional funding from the Federal Government to assist them in the eradication effort, since it has become a national problem, and since a great portion of the cultivation is done on public lands.

3. Stiffer penalties should be mandated for marihuana cultivators to discourage repeat offenses and to keep the cultivators out of the mainstream. Such stiffer sentences would also signal potential offenders about the seriousness of the cultivation crime.

4. Prosecutors should make every effort to bring the cultivators to trial and obtain the proper penalties for the offenders. Since the costs of prosecution are great for many of the localities involved in the prosecution, Federal assistance should be sought from and made available by the Department of Justice.

5. The Drug Enforcement Administration, as the main Federal agency with responsibility for drug enforcement, should work closely with the other Federal agencies—the Federal Bureau of Investigation, the U.S. Forest Service, the Bureau of Alcohol, Tobacco and Firearms and the Bureau of Land Management. The Federal agencies must work in concert with the State and local authorities who have the primary responsibility for enforcement and eradication efforts.

6. The Federal Government should make a decision in the very near future about the use of herbicides to destroy marihuana within our borders. The sometimes high costs associated with the manual eradication of the plants could be eliminated with the aerial spraying of herbicides. We cannot continue to urge other marihuana producing nations to spray herbicides on their plants if our nation does not control its own domestically cultivated marihuana plants.

7. The eradication of marihuana in the Western United States should be approached on a State-supported inter-county regional basis, rather than on a county by county basis. Sharing resources, exploring options and attacking the problem on a larger scale have

resulted in greater successes than solitary efforts by individual counties' eradication efforts. It is possible that a Task Force, similar to the Vice President's South Florida Task Force, might be deployed to assist the Western States in combating domestically cultivated marihuana.

8. Additional training and resources should be provided to the Forest Service so that Forest Service employees can adequately deal with the problem of illicit cultivation on Forest Service lands.

B. Survey of Sheriffs—Illicit Marihuana Cultivation in California and Arizona

INTRODUCTION

On July 22 and 23, 1983, the Select Committee on Narcotics Abuse and Control held hearings in Redding, California on problems encountered in the national effort to eradicate the illicit cultivation of marihuana. During the July 22 hearing, the Chairman of the Select Committee, Congressman Charles B. Rangel, requested the committee staff to survey the sheriffs of all of the counties in California. It was hoped that the responses to the survey would serve to elucidate the problems encountered in eradication efforts on the county level, and to aid in establishing a direction for Federal assistance in the prosecution and elimination of marihuana growers on the local level.

Subsequently, a survey was designed by the late John W. Peploe, Select Committee Investigator (Appendix 1). The collected data were content-analyzed by Mr. Ronald D. Kaye and Dr. Martin I. Kurke of the Select Committee Staff. This analysis is presented here.

One of the witnesses at the California hearing, Mr. Frank F. Navarrete, Director of the Arizona Criminal Intelligence System Agency, asked to circulate the same questionnaire to Arizona sheriffs and kindly provided the Select Committee with a copy of the responses which then were similarly analyzed.

Survey topics included: the extent of marihuana cultivation in the county; physical and political aspects of the county's marihuana eradication program, including the personnel and levels of government (city, State, etc.) involved in eradication and law enforcement; the patterns of arrests and prosecutions of growers and problems encountered in this aspect of enforcement; and finally the kinds of Federal assistance thought necessary to successfully eradicate marihuana cultivation in the county.

RESULTS

The survey was sent to the sheriffs of all fifty-eight counties in the State of California. Twenty sheriffs responded to the survey, a 34-percent response rate. Nineteen of the sheriffs responding indicated that there was a problem with illicit marihuana cultivation in their county. Six of these nineteen sheriffs reported that the extent of marihuana growing was heavy, nine reported a moderate amount of cultivation, and the remaining four reported that the extent of cultivation was minimal.

All 15 of the Arizona sheriffs also received the survey. (Nine or 60 percent) of them responded. Six of them indicated that illicit marihuana cultivation was a moderate problem, one described it as a heavy, and one as a minimal problem. The remaining sheriff did not reply to that question.

Although on the average, 32 percent of each reporting California county and 70 percent of each reporting Arizona county consisted of public lands, the actual amounts ranged from 1 to 90 percent. Ten of the 29 sheriffs in both States reported that the majority of their marihuana cultivation occurred on public land. When asked if their agency has a grant and/or contract with either the U.S. Forest Service or the Bureau of Land Management, eleven of the twenty California sheriffs and seven of the nine Arizona sheriffs indicated that they did have such an agreement. The Federal obligations under the contracts included: campground patrol, general law enforcement in national forests, aerial observation of marihuana fields, and eradication of marihuana on national forest land.

Ten of the twenty-nine sheriff's departments reported having to reduce their number of personnel in the last three years due to budget restrictions. In California, three of the twenty indicated that it will be necessary to reduce their staffs in the future because of expected budgetary losses, and another six sheriffs did not know whether or not to expect such staff reductions. This does not appear to be a significant problem for the Arizona sheriffs who were able to respond to these questions.

The total sworn peace officers authorized in each county ranged from 2 to 6,198. They averaged 589 for the 17 California counties providing this information and 65 for the 9 Arizona counties. The actual sworn peace officer strength ranged from 2 to 1,626 and averaged 578 and 103, respectively for these same counties in California and Arizona.

All of the arrests made in the responding California counties for growing marihuana in the years from 1980 through 1982 were charged as felony violations, although a few were reduced to misdemeanor violations upon conviction. The average number of arrests for marihuana cultivation in 18 counties for those same 3 years was 46, 56, and 50 respectively. In providing the number of convictions associated with these arrests, two counties did not have access to this information and another said that convictions were avoided by plea bargaining. Of the 17 sheriffs that did respond, the average number of convictions for 1980 through 1982 was 26, 32, and 30 respectively. The respective total number of convicted growers sentenced to prison was 10, 10, and 3 across the 16 counties providing this information for these same 3 years.

When asked if they have found the prosecutor's office to be reluctant to institute court proceedings against marihuana cultivators, seven California sheriffs indicated that they had; the other 14 indicated that they had not. Of the seven who did report such a reluctance, the reasons included: the general ignorance of the cultivation process and the degree of intent necessary to produce sinsemilla; the tendency for the prosecution not to take a strong position on marihuana cultivation; the tendency of the courts to view the offense as not serious; the fact that local prosecutors do not try to prosecute because juries have a record of not convicting cultiva-

tors; the high cost of prosecution; and the desire to not overburden the felony courts with cultivation-related offenses.

Eighteen of the California sheriffs stated that sentences handed out by the court system were not severe enough when compared to the potential profit to be had by growing marihuana. The reasons for this belief provided by 15 of the sheriffs who did answer the question included the observation that the courts did not realize the potential profits involved in marihuana cultivation; that the sentences were light enough so as to be the least of a grower's problems; that not enough jail time is given or that the punishment given does not justify the efforts expended by law enforcement in apprehending growers.

During the same 3-year period there were reported 54 felony and 50 misdemeanor arrests in the five Arizona counties which were able to provide figures. The 54 felony arrests resulted in 32 convictions, and the 50 misdemeanor arrests resulted in 40 convictions; but none of the 72 convictions led to prison terms. On the other hand, one sheriff who was unable to provide statistics said that in his county growers and sellers are given the maximum sentence provided by law.

Only two of the Arizona sheriffs cited any reluctance to prosecute. One of them stated that his county attorney defers marihuana prosecution to city courts where only fines are assessed. The other sheriff stated that the United States Attorney for Arizona considers marihuana cultivation to be a local problem and refuses to prosecute marihuana cases even when Federal agencies are involved, and when as much as 400 pounds of marihuana has been seized. The cases go to local prosecution which usually result in probation or "week-end sentences". Four of the sheriffs felt that penalties for marihuana cultivation are insignificant in light of the potential profits. In one county total fines range from $25 to $40 regardless of the number of plants involved.

More than half of the sheriffs in both States did not know how much money was spent by their department for marihuana eradication for 1980 through 1982. Of the nine in California who did have this information, four departments showed a steady increase in costs over these three years, and five departments showed either a leveling off or a decrease between the years of 1981 and 1982. These patterns were directly reflected in the cost in man-hours spent on marihuana eradication in all counties responding. The number of man-hours spent on marihuana eradication for these three years ranged from 125 hours in Benito County in 1980 to 18,464 hours in Santa Barbara County in 1982. In Arizona two counties reported an increase from 1980 to 1982, and one county reported a total elimination of funds earmarked for marihuana eradication.

Most sheriffs in both States believe that the responsibility for marihuana eradication lies ultimately with the local authorities. However, these sheriffs indicate that when the problem is large, the State and Federal levels of government should assist in providing either funding, personnel, equipment, training, or a combination of these needs. In those counties containing a large portion of Federal land, there is general consensus that the Federal Govern-

ment does not provide support for marihuana eradication commensurate with the amount of illicit cultivation on Federal lands.

In California, 14 of the sheriffs said that their department was a member of an interagency task force whose mandate is narcotic enforcement. Eight of these 14 said that the eradication of marihuana was a principal objective of this task force. All of the sheriffs indicated that the task force approach was an effective mechanism to use in the eradication of marihuana cultivation, although there was some skepticism expressed by two sheriffs about the utility of Federal agencies in a task force operation. Concern with a lack of task force coordination and cooperation was expressed by two sheriffs. The benefits of a task force approach according to the sheriffs included the bringing together of specialists, the provision of manpower, equipment, and funding, and the sharing of information.

In Arizona only half of the eight sheriffs responding to these questions indicated that their departments were members of interagency task forces. Three of them stated that marihuana eradication was a principal objective of the task forces. Only one of the Arizona sheriffs felt that the task force approach as presently constituted is unreservedly effective. The remainder expressed the same concerns as did the California sheriffs.

Most of the sheriffs in both States felt that the role of the Federal Government in domestic marihuana eradication should be to provide resources (equipment, funds, and/or manpower). On the other hand, five California sheriffs thought that Federal assistance was not necessary because the problem was small in their county. However, most of these sheriffs granted that the problem was greater in other parts of the State.

When asked what more the Federal Government should do to assist in marihuana eradication, the main concern was with funding and equipment. Other concerns included the need for Federal know-how, training, public education about marihuana, and the strengthening of existing laws.

The specific kinds of equipment and manpower needs included for the most part aircraft, navigation equipment, labor and overtime funds, cameras, four wheel drive vehicles, and trucks. Manpower was needed for training, enforcement and labor.

When asked what role the National Guard should play, seven of the California sheriffs said that they should provide aircraft and/or pilots. Four sheriffs suggested that they should provide no assistance, five wanted them to provide "manpower and equipment," two wanted them to help remove the plants, and one wanted the National Guard to apprehend the growers. Only three of the Arizona sheriffs expressed any interest in National Guard support: one of them felt they could be used only if properly trained for the mission. When they could be used, the appropriate missions for the Guard were considered to be aerial support, observation and photo reconnaissance.

For the Congress to best assist the sheriffs in eliminating the marihuana cultivation situation, most sheriffs wanted them to provide more funding, and many of them wanted them to create stronger penalties for marihuana growers at the Federal level. Others wanted more high-tech aid; legislation to make it easier for local, State and Federal law enforcement agencies to seize equip-

ment and property from growers; public awareness programs; and coordination efforts. One Arizona sheriff also asked for direct financial aid to local agencies, and another asked the Congress to assure that the United States Attorney be given more prosecutors so that he can start to prosecute marihuana smuggling and eradication cases.

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Washington, D.C., August 31, 1983.

DEAR SHERIFF: On July 22 and 23, 1983, the Select Committee on Narcotics Abuse and Control held hearings in Redding, California. The focus of these hearings were on the problems encountered in the national effort to eradicate the illicit domestic marihuana industry, and in addition, to determine the extent of unauthorized use of public lands by these illegal entrepreneurs.

In reviewing some of the testimony given by law enforcement officials, many references appear showing the concern of these men over the apparent inequity of the sentences handed out to these criminals after being convicted. Time and again the appeal for "stiffer sentences," and "more stringent penalties for the violations of these laws" were heard during the two day hearing.

Additionally, the members were concerned over statements by these dedicated people about their inability to destroy the majority of located marihuana fields in their area, because of lack of equipment, and budgetary restrictions. Mention of manpower shortages; lack of agencies coordination and in many cases complaint of lack of prosecution due to limited funds alarmed those members of the Committee that heard this testimony.

Enclosed with this letter is a questionnaire being sent to every sheriff in the State of California. It is my desire that from the information we hope to receive from you, the Committee will be able to recommend to the 98th Congress, the direction the Federal Government should take in assisting you and your fellow sheriffs in pursuing and prosecuting this criminal element operating in your communities.

Specifically, it is our hope that by this survey, we will be able to determine the size of the problem in California; the cost of investigations and prosecutions, and in addition to seizures, the amount of arrest and indictments and successful prosecutions. Finally, the most important part of this inquiry will be your personal observations, opinions, and ideas on how this complicated and complex situation can be best handled.

Sincerely,

CHARLES B. RANGEL, *Chairman.*

QUESTIONNAIRE

1. IN YOUR OPINION, IS THERE A PROBLEM OF ILLICIT GROWING OF MARIHUANA IN YOUR COUNTY?

   YES_____ NO_____

   A. IF YES, INDICATE TO WHAT EXTENT (CIRCLE ONE)

      HEAVY MODERATE MINIMUM

2. WHAT PERCENTAGE OF YOUR COUNTY CONSISTS OF PUBLIC LAND?

   APPROXIMATELY _____ PERCENT

3. IS THE MAJORITY OF THE ILLICIT GROWTH OF MARIHUANA BEING DONE ON PUBLIC LAND?

   A. IF YES, INDICATE WHAT PERCENT

      APPROXIMATELY _____ PERCENT

4. DOES YOUR AGENCY HAVE A GRANT AND/OR CONTRACT WITH EITHER THE U.S. FOREST SERVICE OR THE BUREAU OF LAND MANAGEMENT?

   A. IF YES, INDICATE, GENERALLY WHAT YOUR OBLIGATIONS ARE UNDER THIS GRANT AND/OR CONTRACT _____

      _____

      _____

      _____

5. IS YOUR DEPARTMENT A PARTICIPATING MEMBER OF ANY INTERAGENCY TASK FORCE WHOSE MANDATE IS NARCOTIC ENFORCEMENT?

   YES_____ NO_____

   A. IF YES, INDICATE BY CIRCLING THE TYPES OF AGENCIES INVOLVED.

      FEDERAL STATE COUNTY CITY TOWNSHIP OTHERS

      IF OTHER, EXPLAIN_____

      _____

(2)

B. IS THE ERADICATION OF MARIHUANA A PRINCIPAL OBJECTIVE OF THIS TASK FORCE?

YES_____ NO_____

a. IF YES, TO WHAT EXTENT?_____

_____

_____

6. A. WHAT IS YOUR AUTHORIZED PERSONNEL STRENGTH? _____

a. TOTAL SWORN PEACE OFFICERS AUTHORIZED _____

B. WHAT IS YOUR ACTUAL PERSONNEL STRENGTH? _____

a. ACTUAL SWORN PEACE OFFICERS STRENGTH _____

7. BECAUSE OF BUDGET REDUCTIONS, HAVE YOU IN THE PAST THREE YEARS BEEN FORCED TO REDUCE THE STRENGTH OF YOUR DEPARTMENT'S PERSONNEL?

YES_____ NO_____

A. IF YES, TO WHAT EXTENT? EXPLAIN:_____

_____

_____

8. DOES IT APPEAR THAT IT WILL BE NECESSARY TO REDUCE YOUR STAFF EVEN FURTHER BECAUSE OF EXPECTED BUDGETARY LOSSES?

YES_____ NO_____

A. IF YES, TO WHAT EXTENT? EXPLAIN:_____

_____

_____

9. WHAT WAS THE TOTAL AMOUNT OF ARRESTS MADE FOR ILLEGAL GROWING OF MARIHUANA FOR THE YEARS OF 1980, 1981 and 1982?

	FELONIES	MISDEMEANORS
1980	_____	_____
1981	_____	_____
1982	_____	_____

(3)

10. WHAT WAS THE TOTAL NUMBER OF CONVICTIONS FOR THE ABOVE ARREST?

	FELONIES	MISDEMEANORS
1980	_____	_____
1981	_____	_____
1982	_____	_____

11. IN THE ABOVE CATEGORY, HOW MANY OF THOSE CONVICTED WERE SENTENCED TO SERVE TIME IN PRISON?

	FELONIES	MISDEMEANORS
1980	_____	_____
1981	_____	_____
1982	_____	_____

12. HAVE YOU FOUND ANY RELUCTANCY ON THE PART OF THE PROSECUTOR'S OFFICE TO INSTITUTE COURT PROCEEDINGS AGAINST THESE ILLICIT GROWERS?

YES_____ NO_____

A. IF YES, WHAT REASON WERE GIVEN TO YOU FOR THIS RELUCTANCE?

_____

_____

_____

_____

13. DO YOU BELIEVE THAT THE "PUNISHMENT FITS THE CRIME?" IN OTHER WORDS, ARE THE SENTENCES HANDED OUT BY THE COURT SYSTEM COMPATABLE WITH THE POTENTIAL PROFIT THAT A SUCCESSFUL HARVEST OF THIS ILLEGAL CROP MEANS TO THIS "ILLEGAL GROWER AND THE HARM MARIHUANA DOES TO THE USER? EXPLAIN YOUR ANSWER.

_____

_____

_____

_____

_____

(4)

14. FOR THE YEARS OF 1980, 1981, 1982, WHAT WAS THE TOTAL COST TO YOUR DEPARTMENT FOR YOUR DOMESTIC MARIHUANA ERADICATION PROGRAM?

1980 $_____

1981 $_____

1982 $_____

15. FOR THE YEARS OF 1980, 1981 and 1982, WHAT WAS THE TOTAL COST TO YOUR DEPARTMENT IN MANHOURS, FOR YOUR DOMESTIC MARIHUANA ERADICATION PROGRAM?

1980 _____ HOURS

1981 _____ HOURS

1982 _____ HOURS

The following questions we request be answered on a separate sheet of paper. It is felt that each person replying will vary in length and depth with each of these answer.

16. WHOSE RESPONSIBILITY IS THE ERADICATION OF DOMESTIC MARIHUANA? IS IT YOUR RESPONSIBILITY? YOUR STATE'S? THE FEDERAL GOVERNMENT? EXPLAIN YOUR REASON FOR THIS ANSWER.

17. IS THE TASK FORCE APPROACH AN EFFECTIVE MECHANISM TO USE IN THE BATTLE AGAINST THESE ILLEGAL CULTIVATORS AND GROWERS? EXPLAIN YOUR ANSWER.

18. WHAT IS YOUR FEELING ON THE ROLE THAT THE FEDERAL GOVERNMENT SHOULD HAVE IN THE DOMESTIC MARIHUANA ERADICATION PROGRAM IN YOUR COMMUNITY? IN YOUR STATE?

19. IF YOU FEEL THAT THE FEDERAL GOVERNMENT HAS A ROLE IN THIS PROGRAM, DO YOU FEEL THAT AT PRESENT THE FEDERAL GOVERNMENT IS DOING EVERYTHING IT CAN TO ASSIST YOU AND OTHER LAW ENFORCEMENT AGENCIES IN YOUR STATE? IF NOT, WHAT MORE SHOULD THEY DO?

20. AS HEAD OF YOUR DEPARTMENT, WITH THIS ILLICIT MARIHUANA PRODUCTION PROBLEM FACING YOU, WHAT DO YOU FEEL YOU NEED TO PROPERLY HANDLE IT? SPECIFY TYPE OF EQUIPMENT: MANPOWER AND FINANCES.

21. WHAT ROLE DO YOU FEEL THE CALIFORNIA NATIONAL GUARD SHOULD PLAY IN THIS SITUATION?

22. GENERALLY, WHAT ACTIONS WOULD YOU LIKE TO SEE THE MEMBERS OF CONGRESS TAKE TO ASSIST YOU AND YOUR FELLOW LAW ENFORCEMENT OFFICERS TO ELIMINATE THIS SITUATION THAT IS THREATENING THE EXISTENCE OF EVERY LAW ABIDING CITIZEN IN THIS COUNTRY?

PART IV—SELECT COMMITTEE STUDY MISSION TO HAWAII, SOUTHEAST AND SOUTHWEST ASIA AND ITALY: SUMMARY OF FINDINGS PERTAINING TO DOMESTIC MARIHUANA CULTIVATION

On January 5, 1984 in Honolulu, the delegation was briefed by Federal, State and local drug enforcement agencies in the State of Hawaii. The Select Committee addressed, among other issues, the domestic cultivation of marihuana on the Hawaiian Islands.

U.S. Attorney Daniel A. Bent described the domestic production of marihuana as the State's most acute crime problem. It is estimated that the value of the Hawaiian crop is between $500 and $700 million. This large amount of illicit cultivation is creating an underground economy which is challenging the survival of the legitimate Hawaiian agriculture business which value is estimated at $650 million. The National Park Service has performed an effective job in eradicating the marihuana crop from within its jurisdiction. However, large-scale cultivation exists throughout the outer, rural islands of Hawaii. In cooperation with the State of Hawaii, the U.S. Attorney's office has cross-designated a State prosecutor in the four rural outer islands to select major narcotics cases for prosecution in Federal court. Federal procedures permit stiffer prison sentences in marihuana cultivation cases and land forfeiture penalties are available in the Federal forum.

Rear Admiral Clyde Robbins, Commander of the 14th Coast Guard District, expressed the opinion that bulk marihuana is not transshipped through Hawaii; enough is grown on the Islands and marihuana being shipped to the West Coast would normally bypass a Customs inspection in Hawaii. He stated, in response to a question from Mr. Gilman, that most Hawaiian marihuana goes out by mail. He expressed uncertainly to the extent that container ships are being used to transport marihuana from Hawaii.

Hawaii's First Deputy Attorney General Michael A. Lilly described the drug problem as Hawaii's number one crime problem, with marihuana being the number one drug problem. He said that marihuana production is "taking over our environment." He cited instances of violence, the use of booby traps, and the deployment of hi-powered weapons in efforts to cultivate marihuana and profit from its production. He expressed criticism of the State court system for not imposing stricter sanctions on marihuana cultivators and of the State legislature for failing to pass laws that would mandate a more effective penalty system. Mr. Lilly attributed this reluctance to the fact that marihuana production has become an accepted way of life in Hawaii. Mr. Lilly cited the fact that of the 144,000 plants identified on the Island of Hawaii last year, 117,000 were on private residences. In 1983, 127 tons of marihuana were confiscated statewide. Mr. Lilly also underscored the point that Hawaiian marihuana is of great cash value because of its high THC content. In October 1982, a pound of Hawaiian-grown marihuana was valued at $2,000.

The Postal System is a major conduit for marihuana leaving Hawaii. Mr. Lilly explained that existing postal regulations prohibit the use of drug detection dogs in postal facilities. Mr. Michael Bollie, U.S. Postal Inspector in Hawaii, explained to the Committee

that court decisions limiting the use of detection dogs absent probable cause, prompted the postal regulations. However, the Committee was further informed that a recent decision by the U.S. Supreme Court in *U.S.* v. *Place*—now may have sanctioned the practice. Chairman Rangel stated he would have the Committee staff review the issue, and he would make appropriate recommendations to the Postal Service based on Committee review of the legal issues.

Responding to the increased threat posed by the use of the U.S. Mail to move Hawaiian marihuana, Federal enforcement agencies in the fall of 1983 launched "Operation Pele", a joint DEA, Postal Inspection Service, and Hawaii County Police Department investigation. During this investigation Postal Inspectors segregated approximately 400 packages suspected of containing marihuana from the Post Offices on the Island of Hawaii. The package segregation was based upon a profile developed by the Postal Inspection Service and DEA. The packages were sent to a central location where narcotics detector dogs of the U.S. Customs Service and the County Police Department sniffed the packages. The dogs "alerted" on almost all the packages. Search warrants were obtained for those packages and they were all found to contain marihuana. The net weight of the marihuana was approximately 700 pounds and is valued at $1.7 million.

Based on other evidence obtained by the law enforcement agencies involved, arrest warrants have been issued for 45 individuals and 31 vehicles have been seized. Since the investigation, the flow of packages containing Hawaiian marihuana has visibly slowed.

The Select Committee commends the resourcefulness of DEA and the Postal Inspection Service for the implementation of "Operation Pele". It is our hope that the Postal Service remains vigilant on the vexing problem of using the mails to ship marihuana from Hawaii, and utilizes techniques such as Pele during the marihuana harvest season not only in Hawaii, but in all States where domestic marihuana cultivation is a significant problem.

Guy Paul, Chief of Police of Hawaii County, further discussed the marihuana production issue. He stated that in all of 1982, Hawaiian Police Departments eradicated 147,000 pounds of marihuana. In 1983, 254,000 pounds were eradicated, an increase of 72 percent. In 1982, Mr. Paul estimated that 15–20 percent of the crop was eradicated. in 1983, despite increased eradication efforts, only 10–12 percent of the crop was destroyed. Thus, Paul said, "despite increasing seizures, we are losing ground."

Chief Paul echoed Michael Lilly's sentiment that marihuana production is simply becoming a way of life in Hawaii. He voiced concern over marihuana growers getting involved in State and local politics, halting building and improvement projects for fear their growing areas will be encroached, and creating an underground economy that has the potential of fully corrupting the State.

Chief Paul called for increased Federal assistance to the State to combat the marihuana threat in Hawaii. He pointed to the effort launched by the National Park Service in the National Parks on the Island of Hawaii as evidence of Federal ability.

The National Park Service closed the briefing with a slide presentation on the effort in the fall of 1982 on the Island of Hawaii to eradicate marihuana cultivation in National Parks. Over a two-

and-one-half month period a team of National Park personnel and local police totally took out the marihuana in the parks on the "Big Island". Descending by helicopter to the remote marihuana growing areas, the plants were manually taken up and burned. Twenty-one people were arrested during the operation. In the last six months, the Park Service reports few plants have been found growing in the National Parks on the Island of Hawaii.

CONCLUSIONS AND RECOMMENDATIONS

Two of the seven conclusions and recommendations reached by the study mission pertained to marihuana.

The Postal Service must reassess its current policies limiting the use of detector dogs to ferret out parcels of Hawaiian marihuana being sent through the U.S. Mail. The Postal Service, in conjunction with the Department of Justice, should determine when the assistance of detector dogs in postal facilities would be permissible under current law.

The Hawaiian State legislature and court system must become more vigorous in combating the production of marihuana in the State. Marihuana production is becoming dangerously accepted as a way of life in Hawaii. An aggressive Federal campaign, including military assistance and equipment, is needed to assist the State to eradicate cultivation on non-Federal lands—particularly on the rural, outer islands.

SELECT COMMITTEE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

There appears to be little doubt that the illicit cultivation of marihuana in the United States is a problem of great magnitude. There is equally little doubt that the efforts to stop such enterprises leave much to be desired. The problem of illicit cultivation has grown so rapidly that many States are just becoming aware of the magnitude of the problem within their own borders. Some of the States still do not consider marihuana cultivation to be a major priority problem, and their law enforcement and prosecutorial efforts, as well as their penalties for such cultivation reflect their level of concern.

Domestic marihuana cultivation has become so profitable that it has taken on many of the characteristics of big business, and the likelihood of detection, loss of crop, and prosecution so small, and with so little penalty upon conviction, that many are willing to consider them as mere costs of doing business. The businesses recognize the need for security, and protect their crops through violent means, up to and including homicide. And to avoid detection, an increasing amount of cultivation is located on Federal lands.

The Federal role in combating the threat has been through crop eradication programs. The Drug Enforcement Administration, as the lead Federal drug law enforcement agency encourages State efforts through contributions of funds, training of State and local police, and provision of a limited amount of technical, investigative and aircraft support. DEA claims to be successful in its eradication efforts. The Select Committee's findings are, however, that in-

creased Federal assistance is still needed for intelligence gathering, detection of plantations, and crop eradication.

Some of the officials responding to the surveys and hearings stated that there is little apparent coordination between the various Federal agencies responsible for various aspects of eradication efforts, and that much of the coordination that existed was quite limited and largely ineffective. DEA personnel strength devoted to the cultivation problem, and indeed to any drug investigations in many parts of the country is too meager, leading to questions concerning the effectiveness of the role of DEA as the lead Federal drug law enforcement agency. Witnesses noted that in many instances the various Federal agencies did not share with them information on marihuana cultivation, and in many cases they did not seek cooperative relationships with State and local authorities.

It was noted that where law enforcement efforts are successful in a given area, the growers relocate to other parts of the State, or to another State where the enforcement efforts are either less effective or non-existent. There have been recommendations that inter-county (and even inter-State) cooperative efforts under Federal initiative and with Federal assistance and coordination would be more effective than the single county-by-county approach.

The Select Committee on Narcotics Abuse and Control concludes that the Federal commitment to domestic eradication needs to be given a higher priority than it now has. The Federal Government has abrogated its leadership responsibility in this area of drug law enforcement to the States. DEA has not been given sufficient funding to leverage the States with adequate coordination and direction. Its low budget commitment to this problem has dumped the problem into the lap of the States, many of whom cannot resolve it without increased Federal assistance. It is becoming increasingly clear that State and local eradication efforts, to be successful, must be coordinated at the national level.

The United States, as a signatory to the 1961 Single Convention on Narcotic Drugs has an internationally binding obligation to eradicate marihuana crops within its borders. International implications result from failure to meet that treaty obligation. Other nations that export marihuana and other crop drugs to the United States will continue to decline to effectively control their own marihuana and/or opium poppy production and export, reasoning that our failure to clean house excuses them from doing so also.

APPENDIX A

DEA's Domestic Marihuana Eradication/Suppression Program

(Prepared by the Cannabis Investigations Section, Drug Enforcement Administration, U.S. Department of Justice, December 1983)

EXECUTIVE SUMMARY

The DEA Domestic Marijuana Eradication/Suppression Program was established to ensure a coordinated effort between Federal, state, and local agencies involving the eradication of domestically cultivated cannabis in the United States. DEA's role in this cooperative venture is to encourage state and local eradication efforts and to contribute, within limitations, funding, training, equipment, investigative and aircraft resources to support such efforts. Forty states participated in the program during 1983.

A total of $2.4 million was allocated in DEA's FY-83 budget for the Domestic Marijuana Eradication/Suppression Program. A summary of expenditures is contained in the Funding section of this report.

The program sponsored 17 training schools during 1983. This represented a substantial increase over 1982 when only four such sessions where conducted. These schools trained a total of 624 state and local officers.

DEA committed 12 aircraft to complement state and local air surveillance efforts during the year. DEA's Aviation Unit flew 684 missions for a total of 1,780 flying hours in this endeavor.

Eradication efforts resulted in the destruction of 3,793,943 plants in 70,572 plots. This resulted in the arrest of 4,318 individuals and the seizure of 984 weapons. Twenty-six percent of the plants were reported to have been of the normally high potency sinsemilla. Ninety-nine percent of the plants eradicated were in states participating in the program.

The herbicide paraquat was utilized for the first time to eradicate cannabis plants on Federal lands in Georgia and Kentucky during August 1983. This action resulted in the National Organization for the Reform of Marijuana Laws (NORML) and the Sierra Club filing suit in Federal Court to enjoin DEA from further utilizing herbicides to eradicate cannabis plants. As a result of the court proceeding DEA agreed to the preparation of an Environmental Impact Statement (EIS) prior to any continued use of herbicides. DEA has undertaken the preparation of the EIS to ensure that the Federal Government has every means at its disposal to eradicate domestically cultivated cannabis in the future.

By all measures, the 1983 eradication program was, as in prior years, very successful. Eradication statistics exceeded prior year's accomplishments in almost every category. The 1984 program will continue on a solid footing with additional states joining the program and existing states committing more resources to eradication efforts.

INTRODUCTION

The DEA Domestic Marijuana Eradication/Suppression Program is designed to provide support to each participating state sufficient to support an aggressive search and removal program.

DEA's role in this cooperative venture has been to encourage state and local efforts and to contribute training, equipment, funding, investigative and aircraft resources in support of their efforts.

Beginning in 1981, DEA's cooperative program was expanded to include Hawaii, California, Oregon, Florida, Georgia, Missouri and Kentucky. Since that time, the program has expanded to include 25 states in 1982 and 40 this year. Participating states are shown on the map accompanying this report.

A total of 61 DEA employees are dedicated to the program both in headquarters and in field offices where participating states are represented. Regular planning sessions are held between DEA program coordinators and their respective state and local counterparts. Such sessions result in the development of operational plans for each participating state or local agency. These plans have become the basis for the allocation of program resources.

The planning process is also coordinated at the Federal level with the U.S. Forest Service, Bureau of Land Management (BLM), National Guard Bureau, National Park Service, State Department, National Institute for Drug Abuse, State Drug Enforcement Alliance and White House Office of Drug Abuse Policy.

Program accomplishments for 1983 are described in the following pages of this report.

PROGRAM MANAGEMENT AND COORDINATION

DEA's Domestic Marijuana Eradication/Suppression Program is managed by the Cannabis Investigations Section at DEA Headquarters. Three Staff Coordinators are assigned full-time to coordinate the many aspects of the program with other headquarters elements, DEA division and resident field offices, and to represent headquarters at meetings with state/local and other Federal officials.

In each participating state, a Special Agent from the appropriate DEA field office serves as Field Program Coordinator. His function is to develop, in conjuction with his state and local counterpart, an operational plan for the state eradication program and serve as coordinator and conduit for DEA support to the state program. A program coordinator in the division office assists field management in monitoring the program and compiles program statistics and intelligence within the division.

DEA's Office of Training at Glynco has also assigned a coordinator full-time to the program. This individual, in cooperation with DEA training officers in the field, is responsible for presiding over the various scheduled state and local police officer eradication schools and prosecutor seminars. DEA's Aviation Unit has also identified a program coordinator at headquarters and several in the field to provide assistance and expertise to DEA state coordinators involving aviation matters.

ERADICATION STATISTICS AND TREND ANALYSIS

The 1983 Domestic Marijuana Eradication Statistics (Table A-1) are presented for 50 states, whether or not the state was part of the program, to present a complete picture of eradication accomplishments in the United States.

A total of 3,793,943 plants were seized during 1983 in the United States. Every state experienced some marijuana cultivation during the year.

The increase in the number of plants eradicated during 1983 compared to 1982 is attributable to an increase in eradication efforts (manpower/financial) and refined reporting procedures.

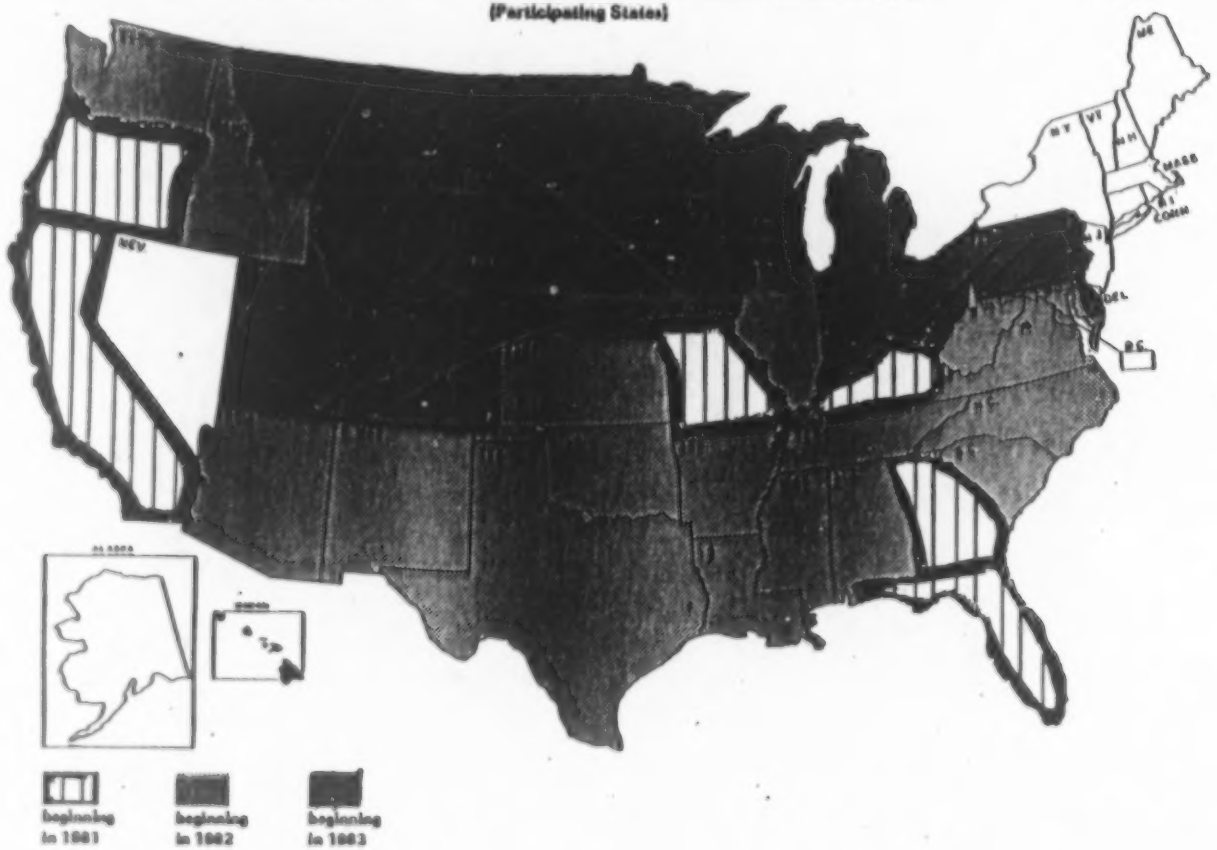
Of the 3,793,943 plants eradicated in 1983, 979,802 or 26 percent of the total were identified as sinsemilla. The production of sinsemilla, with its normally high THC content, is significant in that it represents a greater degree of sophistication relative to cultivation techniques.

Several states encountered sizable cultivation plots. Georgia seized a 32 acre plot containing in excess of 500,000 plants. Three additional large seizures were recorded, the first of which in Glenn County, California was in excess of 63,000 plants, the second in Green County, Mississippi which was in excess of 13,000 plants and the third in Hart County, Kentucky which was in excess of 39,000 plants. Both the California and Mississippi seizures were located in corn fields and the cannabis was intermingled with the corn in an attempt to camouflage its existence. These four large seizures should not, however, be considered a trend involving the plot size of domestic cultivation.

To the contrary, a definite trend involving the shift towards smaller cultivated plots was again noted during 1983. Hawaii, Indiana, Oklahoma, Oregon, Washington and Virginia averaged less than 100 plants per plot. This shift is viewed as a further attempt to deter aerial detection as eradication pressures increase. In 1983, the median plot size was computed to be 177 plants per plot.

DOMESTIC MARIJUANA ERADICATION/SUPPRESSION PROGRAM: 1983

(Participating States)



A total of 714 greenhouses were also seized during 1983. Greenhouses accounted for 3.9% of the cultivation in the 48 contiguous states and Alaska. Further increases in the utilization of greenhouses are anticipated as producers seek new means to deter detection. A hydroponic greenhouse operation was seized in Cleveland, Ohio in late August. In a hydroponic operation cannabis seedlings are transplanted into plastic pipes through which a solution of water and fertilizer flows. The plants are nourished by the solution and are subjected to artificial lighting 24 hours a day thereby maturing into eight to ten foot plants in less time than conventional open field operations.

Eradication efforts resulted in the sightings of 13,936 plots in the 48 contiguous states and Alaska. Of the 13,936 plots sighted, 11,169 were eradicated, resulting in a 80% eradication rate. Of the 13,936 plots, 5,648 were on land under the jurisdiction of the U.S. Forest Service. Hawaii reported sighting 62,652 plots. This large number of sightings in Hawaii is attributable to marijuana producers again resorting to and expanding their practice of cultivating only several plants per plot during 1983 on the islands.

The total figure for sightings was derived from the various state reports and information provided by the U.S. Forest Service and the Bureau of Land Management. It should be noted that the total figure for sightings in this report by no means represents the total number of plots under cultivation in the United States and no attempt should be made to correlate the two.

As noted earlier, 80% of what was sighted was eradicted in the United States during 1983. Several states experienced difficulty in eradicating all that was sighted and in almost every instance a lack of manpower was the primary contributing factor. Several of the less successful states plan to devote more manpower to 1984 eradication efforts.

Eradication activities also resulted in the arrest of 4,318 individuals and the seizure of 984 weapons. Almost all the arrests were prosecuted at the state level with the exception of eight cases, which due to the size of the cultivation or significance of violator, were prosecuted in federal court. To date, these cases have resulted in 12 individuals pending indictment; 15 pending trial; 2 pending sentencing; 13 being sentenced and 4 dismissals. Of the subjects sentenced, all but one was sentenced to time in prison, with one individual receiving an eight year prison term.

FUNDING

A total of $2.4 million was allocated in DEA's FY-83 budget for the Domestic Marijuana Eradication/Suppression Program. Inasmuch as a primary objective of DEA's program is to support state and local eradication activities, a total of $1,750,270 was allocated to state and local agencies (see table A-2) to help offset the expenses of their eradication efforts. The expenditure of these funds helped pay for overtime and per diem for local officers, vehicle/aircraft rental, and operating expenses, as well as the purchase of equipment where necessary. It should be noted that what was allocated to each state may not have been actually expended. Actual expenditure figures will not be known until the end of March 1984 as each state has 90 days from year's end, to account for their expenditures and return any unexpended funds to DEA.

The funding process initially commenced in April with the submission of operation plans along with funding requirements for each state wishing to participate in the program. The plans were prepared jointly by DEA and state/local field program coordinators. Upon receipt, the plans were reviewed by a Headquarters Staff Coordinator in the Cannabis Investigations Section. Any changes involving requested funding were coordinated with the field and were predicated upon the amount of cultivation anticipated in the jurisdiction involved based upon prior experience, if any, and/or any available intelligence involving the subject state. Funding was subsequently provided pursuant to formal Letters of Agreement with the state/local agency participating in the program. Adjustments in funding were effected during the course of the program as deemed necessary.

Approximately $83,500 was expended to conduct the 17 training schools sponsored by DEA throughout the country. DEA's Aviation Unit was also provided with $100,000 to augment its own budget in the support of state and local air surveillance efforts involving the location and destruction of cannabis. Approximately $261,130 in operating monies was allocated to sixty-one (61) DEA coordinators in the field and headquarters in direct support of state and local eradication efforts. DEA Field

Program Coordinators were also allocated $55,100 for the purchase of evidence and payment to informants involving eradication cases. An additional $150,000 of program funds was provided to NASA to test a high altitude detection system to pinpoint cultivation areas for ground personnel. DEA's Office of Science and Technology contributed an additional $50,000 in support of the NASA project.

TABLE A–1.—1983 DOMESTIC MARIHUANA ERADICATION STATISTICS

States	Plots sighted	Plots eradicated	Percentage eradicated	Number of plants eradicated	Number sinsemilla	Percentage sinsemilla	Average plants per plot	Number of greenhouses	Number of arrests	Number of weapons seized
Alabama	488	484	99	61,497	100	0.2	127	5	99	4
Alaska	1	1	100	141	0	0	141	0	0	0
Arizona	132	60	45	13,902	1,725	12.0	231	4	90	51
Arkansas	709	702	99	153,616	25,795	17.0	218	2	171	23
California	2,473	860	35	193,281	75,449	40.0	624	62	434	201
Colorado	87	47	54	11,847	368	3.0	252	4	38	1
Connecticut	2	2	100	78	0	0	39	0	0	0
Delaware	23	23	100	642	89	14.0	28	0	9	14
Florida	608	605	99	60,060	295	.5	99	3	179	12
Georgia	902	872	97	666,433	25,188	4.0	764	2	149	11
Hawaii	62,652	59,403	95	579,082	238,886	41.0	10	193	660	61
Idaho	236	93	39	9,265	4,583	49.0	100	22	95	17
Illinois	260	86	33	99,916	8,747	9.0	1,162	2	32	3
Indiana	254	249	98	7,156	1,192	17.0	29	2	30	0
Iowa	50	25	50	18,276	2,030	11.0	731	0	24	0
Kansas	132	57	43	235,914	30,009	13.0	4,139	1	30	3
Kentucky	553	505	91	174,752	109,220	63.0	346	9	159	21
Louisiana	47	47	100	3,778	0	0	80	0	14	0
Maine	103	103	100	20,973	11,535	55.0	204	7	42	10
Maryland	36	36	100	1,568	45	3.0	44	0	25	1
Massachusetts	3	3	100	1,450	0	0	483	0	4	(1)
Michigan	21	17	81	2,550	0	0	150	0	0	0
Minnesota	12	8	66	120,538	618	.5	15,067	1	6	4
Mississippi	954	954	100	60,368	1,358	2.0	63	1	125	26
Missouri	410	276	67	61,617	13,545	22.0	223	6	187	41
Montana	38	14	37	2,925	2,925	100.0	209	11	20	0
Nebraska	9,	5	55	842	610	72.0	168	1	7	0
Nevada	1	1	100	144	0	0	144	0	0	0
New Hampshire	6	6	100	1,108	0	0	185	0	8	0
New Jersey	0	0	0	0	0	0	0	0	0	0
New Mexico	89	33	37	6,898	1,285	19.0	209	4	32	8
New York	21	21	100	2,881	2,000	69.0	137	1	20	(1)
North Carolina	716	691	97	100,466	16,554	16.0	145	3	124	10
North Dakota	3	1	33	1,000	0	0	1,000	0	2	0

Ohio	204	190	93	4,720	1,964	42.0	25	0	18	10
Oklahoma	267	267	100	442,426	110,561	25.0	1,657	0	97	33
Oregon	839	712	85	47,775	41,275	86.0	67	198	526	179
Pennsylvania	273	273	100	19,053	0	0	70	0	68	26
Rhode Island	7	7	100	520	0	0	74	0	21	(1)
South Carolina	78	78	100	21,546	0	0	276	0	49	0
South Dakota	6	3	50	2,800	0	0	933	0	2	0
Tennessee	1,393	1,386	99	428,022	217,903	51.0	309	1	172	0
Texas	63	60	95	21,991	1,678	8.0	367	4	61	14
Utah	25	13	52	3,433	209	6.0	264	2	19	16
Vermont	74	54	73	2,987	1,943	65.0	55	0	60	(1)
Virginia	592	570	96	40,255	460	1.0	71	1	42	19
Washington	572	511	89	26,575	19,400	73.0	52	160	295	153
West Virginia	139	139	100	12,199	10,258	84.0	88	2	54	11
Wisconsin	18	18	100	44,659	0	0	2,481	0	16	0
Wyoming	7	1	14	18	0	0	18	0	3	1
Total	76,588	70,572	92	3,793,943	979,802	26.0	[2]177	714	4,318	984
Total excluding Hawaii	13,936	11,169	80							

[1] Unknown.
[2] Median of plots/plants.

TABLE A-2.—*Allocation of program funds—fiscal year 1983*

State	*Amount*
Alabama	$41,000
Arizona	20,000
Arkansas	72,000
California	233,000
Colorado	44,500
Delaware	10,000
Florida	71,000
Georgia	103,000
Hawaii	112,470
Idaho	32,750
Illinois	25,000
Indiana	32,000
Iowa	7,500
Kansas	10,000
Kentucky	137,000
Louisiana	28,000
Maryland	17,000
Minnesota	17,000
Mississippi	51,000
Missouri	33,000
Montana	4,300
Nebraska	9,000
New Mexico	23,000
North Carolina	60,000
Ohio	15,500
Oklahoma	50,100
Oregon	94,450
Pennsylvania	15,500
South Carolina	30,000
Tennessee	65,000
Texas	38,000
Utah	16,500
Virginia	53,000
Washington	96,700
West Virginia	65,500
Wisconsin	18,500
Subtotal[1]	1,750,270
Other:	
Travel and per diem expenses for headquarters/field coordinators (61)	261,130
PE/PI expenditures by DEA coordinators	55,100
Programs portion of high altitude NASA project [1]	150,000
Program's portion of DEA aviation unit operations	100,000
Training schools (17) sponsored by program	83,500
Total	2,400,000

[1] Office of Science and Technology contributed an additional $50,000 to the program.

COOPERATION WITH OTHER FEDERAL AGENCIES

U.S. Forest Service

In 1983, the U.S. Forest Service cooperated very closely with DEA and other agencies to minimize duplication of effort and achieve maximum effect from the $1,950,000 they committed to state and local eradication efforts on National Forest lands. In those areas where a large percentage of the growing area was on U.S. Forest Service lands, an effort was made to apply more resource support from the Forest Service, as opposed to the areas with greater private lands involved, where DEA provided a greater share of the support. Additionally, a number of Forest Service personnel attended DEA's Marijuana Detection and Eradication Schools and orientation seminars, better preparing them for their field duties.

A high altitude photography pilot project for detection of cannabis fields was cooperatively conducted between May and October 1983 by the Departments of Agriculture, Interior and Justice.

Department of the Interior

In 1983, several bureaus within the Department of the Interior became involved to a greater extent in the detection and eradication of cannabis cultivation on Federal public lands. Both the Bureau of Land Management (BLM) and the National Park Service were especially active in cooperating with DEA and other agencies on lands under their purview.

Additionally, in Arkansas, the BLM experimented with the use of a dye marker and odorant to destroy growing cannabis. The experiments continue under controlled conditions to determine the efficiency and cost effectiveness of that technique.

National Guard

The National Guard Bureau has recognized the significant contribution they can provide to the domestic eradication effort in the areas of intelligence production and sharing. Additionally, under state activation, the insertion of law enforcement personnel into raid sites and the extraction of personnel and drugs using helicopters can be of critical importance to the success of the campaign. During 1983 definitive guidance was provided to all Guard units clarifying the terms and conditions under which they can properly support the eradication campaign. This resulted in a number of states executing Letters of Agreement for intelligence sharing. Additionally, the Guard units in Hawaii and California directly supported the program through the commitment of helicopter and other resources.

Training

In 1983 the reservoir of training expertise in the area of marijuana detection and eradication was relatively small, while the need for such expertise was great. Accordingly, the program had to rely on assistance from Special Agent personnel from DEA field offices and the California Bureau of Narcotics Enforcement to provide the necessary training. Seventeen DEA sponsored training schools were held, in which 624 state and local officers were in attendance. The 17 training sessions represent a significant increase over 1982 when only four schools were held. The schools were held in 15 states and participants came from 30 of the states participating in the program.

Included in the training curriculum was a general explanation of the program and its objectives. Some of the main topics which were addressed included: cannabis identification and pharmacology, air safety, aerodynamics and navigational aids, aerial detection techniques, booby traps and alarms, field first aid, aerial photography and eradication techniques. Upon completion of the formalized training, attendees were afforded the opportunity to participate as observers in aircraft actually involved in locating areas of cannabis cultivation.

The Office of Training has recognized the training needs generated by the program and this has established a full-time training coordinator position at Glynco. The position was filled during December 1983 and the individual selected will be in place during February 1984. The availability of a full time training coordinator should greatly enhance the program's training capabilities during 1984.

DEA Aviation Unit Support

The experience obtained during 1982 and the increased emphasis involving the eradication/suppression program for 1983 prompted DEA's Aviation Unit to assign a Special Agent pilot full-time to the Cannabis Investigations Section to provide in-house expertise and liaison. Two Special Agent pilots were also assigned full-time to the program's training schools, which ran from April through August. Nationwide, eight DEA pilots and 12 aircraft were assigned domestic cannabis eradication as their first priority.

DEA's Aviation Unit flew 684 missions for a total of 1,780 hours in support of the eradication program. Additionally, the Aviation Unit received requests for 227 missions which could not be accomplished because of several factors, specifically: adverse weather conditions, the unavailability of equipment and/or pilot personnel or a commitment to other enforcement activities. The missions flown represent a 42% increase over those flown (481) during 1982. This effort accounted for 10% of the Aviation Unit's total missions flown during 1983.

All but 5 percent of the missions flown were in DEA single engine highwing aircraft. DEA rotary-wing equipment was normally not available because of daily domestic operational enforcement activities and Caribbean interdiction operations. Accordingly, the program had to prevail upon the military and state/local agencies for

air support to detect cultivation. The United States Attorney for the Eastern District of Washington also personally appealed to pilots within Washington to assist in eradication efforts by reporting any cultivation observed during their normal flying activities. These combined efforts were very successful as documented by the number of plots sighted during 1983, which exceeded those for 1982. The Cannabis Investigations Section is evaluating several possible alternatives, i.e., privately owned helicopter services, for increased air support during the 1984 program.

Public and media awareness

In an effort to further educate various government officials and the public regarding the Domestic Marijuana Eradication/Suppression Program, DEA's Office of Training, in cooperation with the Cannabis Investigations Section, produced a videotape and film with Mr. Ricardo Montalban as a narrator. The videotape depicted federal and state eradication efforts during 1982 and was distributed to each state participating in the program along with the Forest Service, Bureau of Land Management and DEA Training Center at Glynco, Georgia. The videotape/film was made available by local coordinators to various state agencies and citizen groups. The videotape was also aired on several public television stations throughout the country and was well received.

Several states (Missouri, Mississippi, Idaho, Washington, Oklahoma and Florida) established toll-free telephone numbers during the 1983 growing season to receive information from the general public involving the sighting of illicit cultivation. Numerous calls were received throughtout the country, which resulted in several seizures.

An increase in general press coverage was noted throughout the country, especially in Hawaii, California, Washington, Oregon, Georgia and Kentucky. The California Campaign Against Marijuana Planting (CAMP) operation and paraquat spraying operations in both Georgia and Kentucky received the greatest coverage. While CAMP coverage was mostly positive, the paraquat issue generated several negative articles. The 1983 program generated more press coverage than experienced in prior years. Media coverage is expected to increase in 1984 as more states join the program and CAMP increases its eradication efforts.

Herbicides

DEA encourages state and local officials to eradicate cannabis utilizing the most effective and efficient means available, whether it be manual or through the use of herbicides. Paraquat has been identified as the fastest acting herbicide for utilization against heavy broad leaf weeds, which would encompass the cannabis plant. The agricultural community in the United States has utilized paraquat since 1962 and approximately four million pounds of paraquat are sprayed on over 10.7 million acres annually in the United States.

Since DEA is the lead Federal agency in domestic marijuana eradication/suppression, a decision was reached in August to utilize a herbicide to destroy marijuana on federal lands. Paraquat was selected as the herbicide to be utilized due to its fast acting properties and because of its wide acceptance in the agricultural community.

On August 13, 1983, seven plots were sprayed in the Chattahoochee National Forest in Georgia. Again on August 19, 1983, an additional three plots were sprayed in the Daniel Boone National Forest in Kentucky.

Subsequently, NORML and the Sierra Club filed suit in federal court to enjoin DEA from utilizing herbicides in the eradication of cannabis cultivation. Pursuant to the Court action, DEA agreed to undertake the preparation of an Environmental Impact Statement (EIS) involving the utilization of herbicides on Federal lands. An aggressive eradication program will continue during 1984 utilizing all available means at its disposal completion of the EIS.

Incidents of violence

Associated with the cultivation of cannabis is the propensity of growers to employ various methods of deterrence to protect their cannabis from discovery and eradication, or from theft.

One method utilized by marijuana producers to deter eradication efforts is the deployment of booby traps in the vicinity of their plots or along trails leading to these areas. Booby traps, which are either explosive or impaling devices, do not discriminate as to their victims and present a danger to all segments of society.

California's CAMP Program reported that at least 12 murders had been linked to cannabis cultivation during the last three years. According to California's Attorney General, John Van de Kamp, a recent survey disclosed that 80 percent of cannabis growers are armed during the growing season and nearly all carry guns at fall harvest time. Citizens who happen upon cannabis sites are, "often threatened by growers, and assaults among growers themselves are increasing", according to Mr. Van de Kamp. The incidents of violence will grow in proportion to increased eradication efforts, attempted theft of plants by non-growers and by accidental encounters with growers by the general public.

Congressional concern and support

The Congress has demonstrated an abiding concern about the illicit cultivation and trafficking of marijuana. Numerous investigative and legislative Congressional hearings have been held not only in Washington, D.C., but also in cities and communities throughout the United States.

In order to keep the Congress abreast of our domestic marijuana eradication/suppression efforts, the Administrator and other Drug Enforcement Administration officials have provided informal briefings and frequently participated in the formal presentation of testimony and evidence in Congressional hearings. The Congress has demonstrated its support for the efforts of the Drug Enforcement Administration by passing significant legislation.